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Wm. T. G. Morton. M.D.

TRIALS

OF A

PUBLIC BENEFACTOR,

AS ILLUSTRATED IN THE

DISCOVERY OF ETHERIZATION.

BY

NATHAN P. RICE, M. D.

"* * * * * * * * * but there is
No danger in what show of death it makes,
More than the locking up the spirits a time,
To be more fresh reviving—"

SHAKSPEARE.

"What's done we partly may compute,
But know not what resisted."

BURNS.

New-York:

PUBLISHED BY PUDNEY & RUSSELL.

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TO

ALL THOSE SUFFERERS THROUGHOUT THE WORLD,

WHO, IN THEIR TIME OF SOREST NEED,

HAVE BEEN RELIEVED

BY

THE BOON IT HAS BEEN THE HAPPY LOT OF THE DISCOVERER TO CONFER,

AND HAVE RETURNED

THANKS FOR THE PRICELESS BLESSING,

THIS BOOK IS DEDICATED,

BY

THE AUTHOR.

THE undersigned, officiating as the Executive Committee of the Physicians and Surgeons of New-York, who have already taken measures toward raising a National Fund for the benefit of Dr. Wm. T. G. Morton, of Boston, in acknowledgment of his discovery of the Anæsthetic uses of Sulphuric Ether, beg leave to say, that a work setting forth the circumstances connected with and growing out of this discovery, is much needed.

A work of this sort, as we learn, is now in course of preparation by a gentleman who is fully competent to the task. We have then only to encourage the writer to the speedy completion and publication of his performance; and we do this the more willingly, under the conviction that a work on this subject, executed with candor, with becoming accuracy of detail, and with completeness, must be not only of temporary but also of permanent interest, both to the profession and the public.

JOHN WATSON, M. D.,
WILLARD PARKER, M. D.,
JOHN W. FRANCIS, M. D.,
GURDON BUCK, M. D.,
JAMES R. WOOD, M. D.,
VALENTINE MOTT, M. D.,
JOSEPH M. SMITH, M. D.

NEW-YORK, *July* 19, 1858.

PREFACE.

When inexorable Death, with ever-ready pen, has placed "finis" to the concluding chapter of some life written only in the book of Time, the friends, and if a person of note, the public, instantly feel curious about all concerning the departed, and demand information of his early history and subsequent career. But often it is then too late. With its erasing brush

"Oblivion, softly wiping out the stain,"

soon leaves all details obscure or contested; and much valuable information, accessible in the lifetime of the person, scattered by the four winds of heaven. The history, if then written, can be formed only from facts and dry data, written or printed, from the conflicting narratives of others, or from common rumor; but the real feelings during the life-struggle, the bitter experiences and gratifying triumphs, are to be learned from the mouth of their recipient alone.

The common way of avoiding this, has been by an *autobiography*, the writer preferring to speak for himself instead of leaving the chance to posterity, perhaps a more

upright and candid judge, but one less able to enter into its spirit and detail. But generally this method entails one most disagreeable necessity—the person must die anterior to the presentation of the memoir—so that he never knows how it is received, or has an opportunity to correct what is misunderstood or disputed. In addition to the conceit the preparation of it evinces, which would deter many, few, unless with rather morbid tendencies, can bear the *post-mortem* trains of thought it occasions, this perpetual suggestion of coming dissolution; besides, it must at best prove unsatisfactory; for the knowledge is ever present that however far along in it progress is made toward eternity, the last chapter must be added by another's hand, and may, perhaps, counteract and ruin all the previous ones. The case is similar to the man who in his lifetime makes all the preparations for the last moment—purchases his coffin, and has it ever by his side, and yet knows full well that after the expiration of that moment, others will conclude what he has begun, and, notwithstanding his efforts, he may be but slovenly nailed down, and receive but a shabby burial.

It is said that the life of each person we meet in the daily walks of life, or in the social circle, would, if written, inculcate some valuable lesson—some warning, if ill spent, some encouragement, if passed without reproach. It would seem, therefore, almost superfluous to proffer an apology or a reason why another volume has been added to the already large number respect or self-interest have emitted to the world. But in the present case there are especial and additional reasons: it is one more attempt to procure justice for a man who, unrewarded, has made one of the most useful discoveries ever given to the world. As thus far he has been vilified and abused, his rights have been

disputed, and many of his assertions twisted or disbelieved, it is but fair to suppose that the same course will, unless the subject is cleared during his lifetime, be continued after his death. This, therefore, is the proper time, when the materials are ready, and he is present to explain. Although for many years the attention of those "whose lot is suffering and pain," has been drawn to this subject, and consequently to the man, few know the history, are able to reply to questions concerning the discoverer, or can find facts they would be glad to know, simply because it has heretofore been enclouded with such a haze of contention, and the means of investigation so buried in a mass of scattered, and, to most, uninteresting documents. The majority of the information has hitherto reached the public by means of newspaper statements, or disjointed, and, perhaps, garbled reports. No simple, connected statement exists, and, at this moment, the name of the man who has been the means of banishing agony from millions of his fellow-creatures, is absorbed in the glory of the discovery.*

In the compilation of this work, in addition to the congressional documents, printed legal evidence, and other pamphlets accessible to the world, the author has derived much valuable assistance from letters, the carefully-prepared private narratives of friends, and from interviews with Dr. Morton himself. It contains all that can be said bearing upon the history of the discovery, aside from the

* In the Dictionary of Dates, fifth edition—London, 1851—a work which one would suppose, from its title, required correctness, is the following statement:—"The discovery, in 1846, of ether and *chloroform*, as anæsthetic agents, promises to be of vast benefit to mankind. The discovery that, by inhaling ether, the patient was rendered unconscious of pain, and insensible to any surgical operation he underwent, was first made by *Mr. Thomas Morton*, of Boston," &c.

matter contained in these papers; whenever any assertion has been made, corroborative proof has, if possible, been added, and as much of the personal conflicting matter has been given in the words of others, as could be procured. It may not, in consequence, present so much interest as a narrative, but possesses greater value as regards details.

It is true no written work can fully render, during the lifetime of Dr. Morton, that justice which is his due, but which has been so tardily meted out. In the words of Senator Walker, before Congress: "His most enduring reward will be in the undying gratitude of posterity, and a supreme happiness flowing from gratitude to God, for being made the medium of such a boon to his creatures."

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CHAPTER I.

EARLY YEARS.

"Yet unto thee, New England, still
Thy wandering sons shall stretch their arms,
And thy rude chart of rock and hill
Seem dearer than the land of palms."

—*T. G. Whittier.*

THERE is a distinctive character about a New-England village, which has no counterpart in those of any other portion of the Union—a difference somewhat difficult to describe, but one sure to impress the traveler as he passes from one part of the country to another.

The sunny South, with its more genial and settled climate, allowing a life to be passed for a large portion of the year in the open air, by the less carefully constructed houses, the large open windows and ill-closed doors, by the many loop-holes and crannies, with their cross-draughts and counter-currents to strike terror to the heart of northern rheumatism, leaves on the mind of the visitor an impression of carelessness, if not shiftlessness. Owing to the large tracts owned by the planters, and the almost feudal character given the wealthy by the prerogative of slavery, there is in the towns less the appearance of compactness and sociality, and more of those striking evidences of differences of rank and position, which are especially obnoxious to the feelings of the genuine Yankee villager.

In the young and growing West, the greed for gain, or its sudden acquisition, shows its effects in every act of man's handiwork. In the farm, where the log-cabin and the mud-plastered hut are looked upon, not as the family *homes*, but as places for temporary deposit for the bodies containing the energy and courage which are to secure a fortune from the countless acres surrounding them; in the mushroom towns, where the brown stone front of some fortunate speculator jostles the rude cabin of some early pioneer—where the paved and lighted streets, and other conveniences of an older civilization, are abruptly terminated by the primeval forest, or the unbroken prairies—where all that meets the eye betokens a young, wild, untrimmed, but still a vigorous, healthy growth—one which will soon, by increase of years, remedy what are now so apparent defects.

But in the New-England town there is a pervading air of quiet respectability, a solid look of permanency and demure maturity, which is seen in every farm-house, and its surroundings, from the capacious, non-picturesque, glaring white house of the last builder, with its comfortable, well-constructed rooms and latest improvements, to the mossy thatched weather-beaten cottage of the oldest family in the town. The barns and out-buildings, larger and often better built than the houses; the massive stone walls, the well-tilled fields, with each stone removed except the huge boulders, the inevitable accompaniments of a New-England landscape, all show the amount of the labor demanded from their sturdy owners, and the constant care and attention bestowed.

There is much about them to remind one of many of the English hamlets. There are the same old mossy walls and quiet, shady walks—the same decorous stillness pervades them; but in addition, there is more of the true appearance of thrift, and of the well-to-do-in-the-world look of the man, fair, fat and forty, who has something in bank laid by for a rainy day, and a sturdy architectural independence, as if each house owner was proud that he had made his way to his present prosperity by his own exertions, and was only too glad to let every passer-by know the fact.

From such towns as these emanate that restless, shrewd, energetic class of men who have done so much to make New-England what she is. From such a town, each day in the year, some kind, wise father, or indulgent mother, sees a son start out to carve himself a place among the wealthy, or to strive for an honorable position with the wise and good. With a soil too sterile to support all who would wish to stay, and her means for acquiring wealth too few and difficult to satisfy the demands of most, it has been the fortunate lot of New-England to see more of her sons exiled to other States respected, powerful, and beloved, than any other portion of the country.

Such a New-England village is Charlton, one of the many comprised in the large, wealthy, and fertile county of Worcester, in the State of Massachusetts. Nestled among the hills, beautified by many a sheet of water, it has always from its foundation, furnished to the call of the country a hardy, healthy yeomanry, and kept for its demands at home a virtuous, intelligent, energetic community.

Here from the commencement of the 18th century, had dwelt the maternal ancestors of William T. G. Morton, the subject of the present sketch. Originally from Salem, and other towns on the Atlantic seaboard, they had at this early period been induced to settle here from the superior advantages afforded in the interior for agricultural pursuits, or because dissatisfied under the restrictions of what was then called a city life; and living quietly and unambitiously as prosperous farmers, have left behind them a legacy of respect and esteem. His ancestors on the father's side, that family of Mortons, so often and honorably mentioned in the early chronicles of New-England, had at an early period in our history emigrated to this country from Scotland, to search in the New World that freedom of art and thought, and that religious liberty, which was not vouchsafed to them in the old. Among them was one Robert Morton, a merchant, who settling first in Mendon, a town in the vicinity of Charlton, was afterward induced, by love of speculation, to remove to New-Jersey. Here he acquired by purchase for three ship loads of goods, several thousand acres in the eastern part. Upon what was

then a portion of his domain, is now situated the large and prosperous city of Elizabethtown. Singular to state, the original grant has never been sold, or in any way cancelled, and at the present time, with the original title deed in the possession of Dr. Morton's family, we have the novel spectacle of a city of squatters—for in that way was the land and title placed in the possession of the present holders. It has often been suggested that the claim be prosecuted, but with the knowledge of the law's delays, the length of time required, and the multitude of obstacles to be thrown in the way, the attempt has never been made by any of the descendants.

James Morton, a son, had at an early age settled at Smithfield, a town in Rhode Island, the inducement being a colony of Quakers, (of which sect he was a member,) who, attracted by its distance from other settlements, and its superior farming advantages, had for a long time lived here.

When the war trump was sounded through the quiet villages, and the example and exhortations of the ministers were added to the demands made by the leaders of the down-trodden people to rise and assert their rights, among the first to respond to the call was this same son, who, forsaking his home, his wife, and his children, partook of all the dangers and vicissitudes of that period, from the battle of Bunker's-Hill until the close of hostilities had established as a settled fact the declaration of the people, that they would forever remain free and independent.

Thomas Morton, a son, who was born in 1759, shared with him the perils of this trying time, and shoulder to shoulder breasted, equally with his father, all the difficulties which their cause imposed, or took the young man's share. At the close of the war, and after his return home to the bosom of his family, and the love of a young wife, to whom he had been united a few years before, he was accidentally killed upon his own threshold. One morning, when about to start with his aged father to a neighboring justice's to arrange the will and some family papers, he was appealed to by an old family slave, who, with a lugubrious air, complained of the dullness of his scythe, and proffered the request that it should be taken to the town to be sharpened. On

their way out of the gate with the implement in the vehicle, the horse became unmanageable, and Thomas, in endeavoring to leap from the chaise and seize his head, fell upon the scythe, and received so serious a wound, that, in a short time, he breathed his last.

James, his son, (and the father of Dr. Morton) at that time a boy of but six summers, was much afflicted by the horrors of this dreadful catastrophe, and often afterward related the particulars so minutely, as to show the indelible impression which it had made upon his memory.

After the death of his father, his mother, who seems to have been a woman of rare energy and prudence, and well qualified to act in the trying position in which she found herself placed, devoted herself to the mental culture and moral well-being of her children, a task in which the results show how admirably she succeeded. Her father had purchased a farm which was conveyed to her in trust, for her children. Upon this, the young boy found full employment for his time and his natural energy, and by his untiring exertions contributed much to the support of his family.

At the age of 21, the whole farm came into his possession by purchase from his mother—and shortly afterward a new claim was made upon his care and affection, by his marriage with a young person at Charlton, whose acquaintance he had made a short time before when on a visit in that town.

The wish of his wife, and attachments which he himself had formed with her relations and friends, induced him shortly afterwards to sell his farm at Smithfield and remove to her place of birth, where he purchased a house and farm of about 100 acres, which for a long time had been, and still is, in possession of his wife's family.

At this place, on August 19th, 1819, William Thomas Green Morton was born. The house where this event occurred is a fitting representative of those cradles where are nurtured so many of our prominent men. A large square old fashion wooden house, with an immense stone chimney in the centre, shaded by old trees, and covered by creepers and climbing plants; it was

surrounded by well kept fields, and set off by a dark back-ground of woods and orchards. The brook, which passed close by the door, a skating ground in winter, was diverted from its course to supply the house with water. The rooms of the house were large but low, and each was provided with a fire-place capacious enough to almost answer as a subsidiary room. The parlor, clean, and always closed except for state occasions, with its walls curiously covered with well executed paintings of hunting scenes, birds and fruits, was set round with that solid old-fashioned furniture, which is now so rare and valuable. The kitchen, the common and most used room in the house, with its dressers loaded down with bright burnished tins and quaint crockery, was ornamented wherever a rafter gave an available place, with strings of dried-apples, squashes, and pumpkins for the winter consumption, or bunches of fennel and boneset for medical use. All within was clean and plain, with a place for everything and everything in its place.

"The character of the scenes in which we are brought up," says a prominent writer, "impress themselves upon our souls. As is the place, so is the man. The mind is a mirror before it becomes a home." Few of those who at an early age have left their homes in New-England, can fully realize the effect which has been produced on their after characters and tastes, by the associations and habits of their earlier years. Few are fully aware of the lasting nature of the moulding which has been received at the impressionable age of childhood.

The early years of the young boy were those of most New-England young men, especially those from the country towns. In the spring full employment was afforded in assisting in the manufacture of maple sugar, by tapping the trees, catching in the proper vessels the clear juice, or in evaporating it to its proper state for use. Later in the year came the more varied and exciting episode of the sheep shearing—much of the labor of which devolves upon the young boys—from the washing of the sheep, to the carrying of the freshly cut fleece to the mill, and through its various stages of carding and hackling, until it is ready for the tailor, who then traveled round, visiting each house, to make

up the winter's supply of garments. The mowing and haying of summer fully occupied his attention until the time for the husking, apple paring, and the gathering in of the autumn harvest.

It is thus seen that there was no lack of work suitable for his age; but still an adequate time for play was also afforded, and the neighboring ponds, in winter, gave evidence of his skill in skating, while his prowess with the rod and gun won him a reputation among his companions. His adroitness in the management of horses, and love of riding, rendered him very useful on the farm, and thus enabled him to combine pleasure and profit at the same time. With no knowledge of the world beyond what an occasional visit to the community of Quakers, at Smithfield, gave him, and few wishes above what his position easily supplied, he lived a happy, contented life, upon which he has often looked back with grateful remembrance. He was bold, adventurous, healthy and athletic, prone, as all boys, to mischief, but never with any tendency to malice.

Apparently, now, in an embryonic way, his mind was first directed toward the practice of medicine, and with the soubriquet of Doctor, and armed with a battery of elder-tree vials and bread pills, he went among his playmates "conquering and to conquer," practicing his art until the ban of denial was temporarily placed upon his ambition, by his nearly causing the death of an infant sister by forcing some unearthly compound down her throat, as she lay asleep in her cradle.

James Morton, who, through his whole life, felt the deficiencies of his own education, which, by the sudden demise of his father, had been so early interrupted, and only in part resumed, determined to supply to his children that, the loss of which he so much regretted. The nearest school-house, a dilapidated structure, was more than a mile distant across the fields—uncomfortable in summer, and almost inaccessible in winter—the time which afforded the most leisure for mental improvement. This, obviously, would not suffice for the future, and, therefore, the plan was formed in his mind of a removal to where the educational advantages would be of a higher and more settled character. But this project met with a decided opposition in the will

of his wife, who, born on the spot where her father had cleared the land, and planted every tree, endeared to the place by many pleasant associations, and satisfied with the peaceful retired life which she then led, could not, without too severe a struggle, make up her mind to sever dear old ties to trust herself in a new position among untried friends, and in an unnatural sphere of action. Her home was her world, and she cared nothing for that one outside, of which she had seen enough to dislike, but with which she was not sufficiently familiar not to feel a vague distrust and dread.

But an accident accomplished what, perhaps, the kind heart of the father never could have brought about. A beautiful estate, situated immediately in the heart of the town, in immediate proximity to the schools, had, by the death of the owner, come into possession of the trustees of the Academy, by whom it was offered for sale. This satisfied all the objections of the mother; it was in the same town as the old home, though two miles from it, and it allowed a constant attendance upon the daily school.

This removal took place when the young son was about eight years of age.

Here some advance was made in the character of the instruction afforded, but not enough to raise the standard to meet the ideas of the father. The plan then pursued in most country towns was to have a female teacher during the summer months, and a male teacher for the winter; but the mental acquirements of neither could be of a very high grade, when no permanent or prospective employment was given either. James Morton, therefore, by interesting himself in the school affairs and its welfare, was chosen to supply a permanent master, which he did in the person of a graduate of Brown University. This was the initial step toward any real acquirement of an education.

Several years were passed in this alternation of study and work upon the farm, until the increase of age, and a demand for a more extended and stricter mental discipline, suggested to his father his removal to some academy. That at Oxford was ultimately selected, and at the age of thirteen he was removed thither. Here he received, and by subsequent changes during the next

three years to Northfield and Leicester, academies which had a high reputation, the only real instruction which he has ever received.

His residence in Oxford was in the family of Dr. Pierce, an old friend of his mother's, and a physician of reputation in the country around. Here a fresh impetus was given to the old decision to be a doctor. Much of his leisure time was spent in poring over some of the medical books in the study, and in trying to acquire from the Doctor some of the avenues of the science. To all his rhapsodies of the pleasures of the profession, and of the looked-for day when he should be old enough to commence the study, the Doctor replied by a grave discouraging shake of the head, and the warning, "Young man, you hardly know what you talk about, and how hard I have to work."

Still the wish remained, and shortly after, on his next visit home, he announced to his parents his determination to be a medical man. This met with universal satisfaction, and their perfect approval. The family physician of those days, especially in the country, was looked upon as a man of note, and of every species of information, and was treated with a commensurate degree of respect.

On his return to school, it was consequently looked upon as settled that his pathway in life was laid out, and that from that moment he should commence a preparation for the course of education which was to follow. "Mais l'homme propose et le Dieu dispose. A false accusation brought against him by a boy of disobeying some of the rules of the school, and the demand of the teacher for a confession, followed on his refusal by an ill-judged and outrageous punishment, led him to leave the school, and again seek the paternal roof.

The violence of the punishment was such, that for many months he was a sufferer in health, and unfit for action or thought. At the expiration of this period he was removed to Northfield Academy, and subsequently, on account of home-sickness, to Leicester, where, for the next two years, he prosecuted his studies with diligence and activity. One of his fellow students, at Northfield, has stated in a letter, that he was indefati-

gable in his efforts to acquire information on all subjects; and that often, while his companions were enjoying themselves in their sports, he would be climbing the neighboring hills, diving into the ravines, or searching among the rocks for minerals. These he formed into a collection with such skill, as to attract the attention and elicit the warm praises of his preceptor, Dr. Wellington. Years passed after young Morton left the academy before the preceptor and pupil again met; and this, strange to say, took place at the Massachusetts General Hospital, on the memorable sixteenth of October, 1846. The pupil then was the instructor and the teacher, one among the many eminent and learned, who had resorted there to seek for information.

His father, who, a short time before, had formed a mercantile co-partnership, became now so seriously embarrassed in his affairs, that it was rendered necessary to recall his son from school, and that he should commence to live the usual lot of man, and earn something for his own support. This was a severe blow, but for it there was no relief. With all his dearly cherished hopes of studying medicine blasted, and with a new career in life apparently forced upon him, he, at the age of 17, left his native town in company with his father, and repaired to Boston.

Through the influence of some of his friends, a place was soon obtained, in a large publishing house, and he began to indoctrinate himself into all the mysteries of bookselling. The idea of the change had been in some degree lightened in his mind by the anticipation of increased facilities for study. With spare time at his disposal, and plenty of material for reading, it seemed certain that much valuable information could be acquired.

But in this he was doomed to a disappointment; the exigencies of a brisk business, and the multifarious duties given a young lad, left him no time to read, much less to study. Disappointment and dissatisfaction followed, and after some months he returned to his home, having acquired some knowledge of the world and some warm friends. Among them was one, now well known through her literary labors, Mrs. Sarah J. Hale, who has remained a true and constant friend, and often refers to

the time when she first knew "Willie Morton," as a clerk in the publication office of her magazine.

From this time to his majority he alternated between the counter and the school-room, earning what was demanded for his support, but leaving, as often as possible, to supply the intellectual craving which he felt. Still possessed with his cherished idea of becoming an educated physician, he looked upon all which he gained, as an assistant in his father's store, and subsequently when in business with others on his own account, only as a means of accomplishing in the future, this pet and much desired end.

With this constant unsatified desire, and a natural dislike to the bustle, annoyance and drudgery of his present mode of life, his knowledge of the routine of business could not be very great, nor his powers of protecting himself from the cunning designs of others sufficient to assure him any profit. Such a result followed, therefore, as would be expected; and duped by his partners, who were older, more shrewd, and better versed in business, his mercantile career terminated in decided disaster, and its abandonment forever.

CHAPTER II.

BEGINS PROFESSIONAL CAREER—HIS FIRST ATTEMPTS TO INDUCE ANÆSTHESIA.

"Men are fond of repeating that discoveries are most commonly the result of accident; we have seen reason to reject this opinion, since that preparation of thought by which the accident produces discovery is the most important of the conditions on which the successful event depends."—*Whewell, History of the Inductive Sciences.*

Previous to the period to which we now refer, the art of dentistry had, but in rare instances, reached the dignity of a separate and respectable profession. Composing a part of the knowledge and duties of every medical practitioner, it was never expected that much relief would be afforded through their aid, except by the extraction of some troublesome and aching tooth, and the employment of such mechanical appliances as the press of a daily round of business and their low price allowed. Even in the larger towns, where constant demand had induced some to turn their attention to this as an especial study, but few were really competent and well-skilled men. Ignorant of everything appertaining to this branch except what could merely be acquired by them from their own experiments, without previous education, they did not hesitate unscrupulously to subject their unsuspecting victims to every mischance which their ignorance or hardihood might cause to happen. It is only necessary to quote, in support of this, from the mouth of a man who was fully able to pass an opinion. In an address delivered at Baltimore in the year 1840, by Dr. Chapin A. Harris, he says:

"No credential or evidence of competency having been looked for or required, the profession has become crowded with individuals, ignorant alike of its theory and practice; and hence its

character for respectability and usefulness has suffered in public estimation, and a reproach been brought upon it, which it would not otherwise have deserved.

"Often has the cheek of the honorable high-minded man been caused to blush with shame on account of the mal-practice of the ignorant and unscrupulous of his professional brethren. Often have his feelings suffered the deepest and most painful mortification at beholding injuries that had been inflicted on the teeth of individuals, who, in a spirit of most entire confidence, had submitted them to the care of those not properly skilled in the treatment of the maladies of these organs. The calling of the dentist has been resorted to by the ignorant and illiterate, and I am sorry to say, in too many instances, by unprincipled individuals, until it now numbers in the United States about twelve hundred, and of which I think it may be safely asserted not more than one-sixth possess any just claims to a correct or thorough knowledge of the pursuit.

"Gladly would I draw a veil of secrecy over these things, but I feel myself bound in justice to the better informed of the profession, and to the public, to denounce the empiricisms that have and do still exist in this department of medicine."

Such was its character, and so great the difficulties of acquiring a real and competent knowledge of it, that few were willing to put themselves to the trouble and expense, and entering blindly upon their career, left it for the public to discriminate upon their merits and demerits. Supplying their want of knowledge and skill by adroitness and cunning, they pushed their way into notoriety and public favor, by unblushing effrontery and contemptible chicanery.

Many an unhappy individual, ready to exclaim with Burns—

"My curse upon thy venomed stang,
That shoots my tortured gums alang;
And through my lugs gies mony a twang,
Wi' gnawing vengeance;
Tearing my nerves wi' bitter pang,
Like raking engines:"

his cheek swollen to twice its natural size, and wild and nervous from the wakeful nights passed, has entered the office of one of these quacks, hoping and expecting relief, and looking with anxiety to the expected elysium which the exit of the tormentor was to warrant.

Slowly, and with due regard to the terrible sensations which the sight of the instruments brings to the anxious patient—shown by brandishing the forceps before his eyes—the quack then proceeds to seize the offending member. With the delicacy of a blacksmith, and the skill of a hod-carrier, the practitioner immediately twists the crown of the tooth from the roots, and leaving the fangs as before imbedded in the jaw, advises the sufferer to return to his domicile, exercise his patience, and obtain what relief he can, not forgetting at the same time to remind him of the fee demanded for his valuable services.

On the very month that young Morton became of age—in August, 1840, the "American Society of Dental Surgeons," which had been for some time in process of formation, held its meeting of organization. The objects of this society were to give a character and respectability to the profession, diffuse a knowledge of dental theory and practice, but above all to establish dental colleges throughout the United States, for the proper instruction of those whose desire it might be to enter upon this career.

The first institution of this kind established under the auspices of their society, and by the sanction of the legislature, was the "Baltimore College of Dental Surgery," which was opened on a liberal scale, and with the approval of all the well-meaning members of the profession.

At this very time, with no business to occupy him, and on the look out for some congenial employment, the attention of young Morton was drawn to this very subject, as but the next remove from his darling idea of the medical profession. He looked upon it as one step in the right direction, and determined therefore to visit Baltimore and attend the opening of the school.

Pleased with the prospects opened to him, and the new opportunities for the acquisition of knowledge, he held several interviews

with Dr. Haydon, President of the American Society of Dental Surgeons, and a Professor in the new school, and guided by his own proclivities, and the advice given, he decided to commence at once, and perfect himself in this branch of medicine, the practice of which he hoped would furnish him the means of attaining the others. During the next eighteen months, he diligently pursued the study of his profession, a portion of the time in Baltimore, the rest at the North. In 1842, after his graduation he formed a co-partnership with Dr. Horace Wells, and at once commenced the practice of his new profession in Boston.

The co-partnership between the two not proving so profitable as was anticipated, it was, in the fall of 1843, dissolved. As subsequent events have brought the two partners into a collision of interests, and consequent encounter of claims, it may be as well to show the good feeling which existed between them, and the cause which really induced their separation. In a letter dated Nov. 22d, 1843, Dr. Wells wrote: "We can both of us see at a glance that it is madness for us to go ahead under present circumstances, for the reason that our receipts will barely pay the cost of materials used, even if we had ever so much work at the prices you have taken those jobs now on hand. * * * * I am satisfied in my own mind that our enterprise will be a total failure. So let us give it up and jog along here at home as usual; in case you do not give up the enterprise, I of course am ready, and do give you notice that I wish to get out of it as soon as our agreement will permit. I wish you to understand that *I have not the least fault to find with you; I have the utmost confidence in you as a gentleman, and one who will ever aim to act your part well in accordance with the strictest honor and integrity;* we have both exerted ourselves to the utmost, and I believe that our ill-success cannot be attributed to either of us so far as '*go-aheaditiveness*' is concerned."

One of the first objects of Dr. Morton on commencing his career in Boston, had been to visit and endeavor to cultivate social relations with all the principal and best educated dentists of the city. His idea being, by the cultivation of amicable relations, and a free social communication to bring about a free inter-

change of thought and knowledge which might prove mutually advantageous, and enable him to acquire much of that information which can only be received from one of practical experience. For although at this time the results of the "American Society of Dental Surgeons" were beginning to manifest themselves, and much valuable information was diffused among the profession by the "American Journal of Dental Science," a magazine a short time previously established under the auspices of the new society; still this was but limited in amount, and not explicit or in quantity to satisfy the demands of an ambitious inquiring mind. But all these attempts met but with indifferent success. Jealous of each other, and of their own reputation; afraid that some process or appliance introduced by themselves might be adopted and improved upon by some successful rival; depending for their incomes upon the reputation and notoriety of some private specific or peculiar operation—they could not act otherwise than shy or morose at the request of any co-laborer to enter their laboratories or operating rooms.

Rebuffed but not discouraged, this awoke in his mind the determination to investigate for himself. With a firm reliance on his own shrewdness and courage, and a professional knowledge equal for his years to any of his competitors, what reason could exist why he should not put together the scattered items of information which he could collect, and slowly and more laboriously work out the same results, with a chance of being even more successful? This bold determination, and the consequent mental energy and unsatisfied craving which it induced, have produced as fruits the results of his subsequent discovery. With the fixed idea in his mind that there was constantly more to be known beyond the horizon of his then limited experience and knowledge, it induced a constant exploration in new paths—a reaching out for fresh results. Often blindly and in error, he groped after some end to be attained; frequently disappointed—and with some fine theory leveled with the ground by its solution in actual fact, he still resolutely pushed his investigations, cheered by the discovery of some hitherto to him unknown fact, or useful bit of information; and gaining for himself each day,

what was far more valuable to him, proofs of his own power, and authority for his determination to know all, and more than others knew, of his own peculiar branch of labor, and ranked him among that courageous class who "ask no favors and shrink from no responsibility." His naturally strong impulses by this schooling were controlled by patience, and his fiery nature steadied by fortitude. The necessity for action which constantly agitated his mind, engendered deep, fresh, original thought—without which no man can be really great as a discoverer or public benefactor.

Among those who most freely extended to him the right hand of friendship, and imparted the much needed information, was Dr. N. C. Keep, of Boston, then Vice-President of the American Society of Dental Surgeons, and second to none in the practice of his own peculiar branch. This gentleman wrote of him at that time, "as a very enterprising dentist—his mind ever active and seeking for improvement," and said, "I have taken great pleasure in exchanging professional thoughts with him, and am desirous of promoting his honorable intentions." With the hope that much might be acquired from Dr. Keep, which would prove useful to him and his patients an agreement was entered into between them, by which, for the sum of $500, Morton was to be allowed free access to him and his laboratory at all times, and liberty to use whatever his inquiries showed to be advantageous in his own business.

At the same time he employed himself in collecting a cabinet of specimens, and in perfecting the appliances in his rooms, so that in a short time he possessed the most perfect laboratory and operating rooms in the whole city.

It was a habit, at the period of which we write, for all dentists, when fitting false teeth, to set them upon gold plate placed directly upon the fangs of the old teeth, which were never removed. In order to fasten them upon the plate, they were obliged to use a gold solder, which it was necessary to make of a softer character than the plate beneath, as it was universally supposed that a heat which would be great enough to fuse the solder, would also be sufficient to melt the plate. As a conse-

quence of this procedure, a galvanic action was established between the metals composing the solder and the gold plate, which soon changed the color of the solder, and established around the margin of each tooth a most unsightly black line. But this was by no means the worst, the enclosure of the salivary secretions between the roots of the old teeth and the plate, together with this galvanic action, produced a most unpleasant odor in the breath, and even a disagreeable taste in the mouth.

Struck with the stupid and barbarous character of this custom, Dr. Morton, when in company with Dr. Wells, had devised a plan by which a solder of the same character as the plate could be used. In order to diffuse this information and enable him to experiment more fully, he had extensively advertised what he was able to accomplish, offering to make all pecuniary compensation to him contingent upon the success, and giving one year for the trial.

But as one necessary adjunct, and in order not to confuse the two causes which then brought about the existing disagreeable result, it was made one of the express stipulations of the agreement, that all the old fangs should be removed. The pain of this process, and its difference from the advice given at any other establishment, deterred many from the trial, and, as a consequence, he had the mortification of seeing the majority of the many hundreds who flocked to his office, depart with a shrug of the shoulders or a contemptuous denial.

It was evident if any success was to flow from this invention, that something was necessary to remove this objection, or render the infliction as light as possible; for this purpose every plan and remedy was tried. Copious libations of brandy or champagne, carried even to intoxication; laudanum in doses of from 100 to 300 drops,* and opium in masses of 10 or 12 grains. Magnetism was also tried, but in each case with a subsequent

* Case from note book of Dr. Morton. "Mrs. S— to have the whole of teeth in both jaws extracted. Commenced giving opiates about noon. Gave first 150 drops of laudanum. Twenty minutes later, gave 150 additional. Waited ten minutes, and gave 100 drops more. Gave 200 drops more with intervals of five minutes. Whole amount given, 500 *drops in*

trouble and present annoyance, co-equal with the amount of the success.

Searching after something which would in some way supply this want, he attended many of the meetings of those persons who then went round the country lecturing on mesmerism, and professing to relieve pain and "every ill which flesh is heir to," by certain vapors. But the results of their experiments soon showed him their inefficiency, and the falsity of the statements made. He became busied with this one idea; pre-occupied, he could hardly give his attention to his business, his students and others about him; consequently, he acquired the reputation of a morose and rather stupid man. It was an evident and fixed fact with him that there must be something found which would in some way benumb sensation, and that if he could not learn it from others, he must devise the means himself.

The limited amount of medical knowledge which he possessed he found most seriously to interfere with the prosecution of any investigations he might make; and as a realization of his old cherished hope, he determined to enter his name as a medical student, which he accordingly did in March, 1844, in the office of a physician of Boston.

In May of the same year, Dr. Morton married Miss Elizabeth Whitman, a daughter of Edward Whitman, Esq., of Farmington, Connecticut—a union which has received no subsequent shock, and has conduced to the unalloyed happiness of both parties. But he no more allowed domestic felicity to interrupt his investigations than he had the requirements of his profession.

Among the many professional demands during this year made upon him, he was one day in July called upon by a Miss Parrot, of Gloucester, who presented herself to have a tooth filled, which pained her excessively. Finding the agony caused by the use

forty-five minutes. At the expiration of this, she was sleepy, but able to walk to the chair. Immediately on extraction of the first tooth, she vomited. She continued in this way for one hour, during which time the rest of the teeth were extracted. She was conscious, but insensible to a considerable degree. On returning home, she continued to vomit at intervals during the afternoon. Entirely recovered in a week."

of instruments too great for her endurance, he applied to the tooth, in order to deaden the pain, a little common sulphuric ether, the effect of which, as a local application in subduing pain, he well knew. The operation of the ether being slow, and requiring time to produce its full effect, she called several times, on subsequent days, and each time the same application was made, and with equal success. One day, having detained her rather longer than common, and used the agent a little more freely, he was surprised to find, by examining, how completely the surrounding parts had become benumbed by it, and the idea occurred to him, that if the whole system could in some way be brought under its influence, a most valuable means of relief in more intense or more diffused pain would be afforded. But the difficulty which arose was, how this could be done. It was obviously impossible to immerse the whole body in the ether, and it was doubtful if it could be washed over the parts in sufficient quantities to produce the desired result.

It was necessary that some method should be discovered and to this he at once decided to give his whole attention. The inhalation of ether in small quantities, as well as nitrous oxide gas, he had often heard spoken of as having been practised for amusement in his boyhood, and at the various lectures which he had attended; but the suspicion that the effects could be carried further than he had seen them never crossed his mind.

The phenomena which he had just witnessed, seemed to him however, so curious, that he determined to investigate the subject still further, and, with this object in view, collected and perused carefully all the works upon the subject which he could procure. The results of this examination soon showed him that ether was a powerful anti-spasmodic anodyne and narcotic, capable of intoxicating, and even of stupifying by inhalation; that it had often been used in this manner as a remedial measure, and in one work he even found an apparatus for its administration described.

The next move was to verify some of the statements; with this view he repaired to his father-in-law's house in Connecticut, and commenced a series of experiments upon birds and other animals, which however proved but very indifferent successes; and the

fact being known among his friends, he felt much mortified at the result.

On his return to Boston some weeks later, he matriculated at the Medical School of Harvard University, and at last reached the *ultima thule*, the goal for which his ambition for so long a time had pined.

CHAPTER III.

ATTENDS THE MASSACHUSETTS MEDICAL COLLEGE.

"Assure yourself that when you are a perfect master of these institutes, you will seldom meet with any point in physic to which you will not be able to speak like a man.—*Sir Thomas Browne.*

THE "Medical School of Harvard University," so long and favorably known, from whose halls so many good and eminent men have emerged to give joy to the despairing and hope to the afflicted, had not then been removed to the commodious and completely appointed building which it at present occupies on Grove-street, Boston, but was situated in Mason-street, nearly in the heart of the city, in the building now occupied by the Boston Society of Natural History. This low antiquated structure, not peculiarly well adapted to the purposes for which it was used, had always been regarded by the public with a vague feeling of curiosity, not unmixed with dread. The sombre color of the brick-work, its carefully protected windows, and the general loneliness and gloom of the street, were all well calculated to impress the uninitiated with a sense of distrust and fear, not in any way alleviated by the many scattered stories and reports told of the fearful deeds transacted within, and the horrible sights and sounds which some curious interloper professed to have been a witness of.

In company with about fifty other new aspirants for medical favor, Morton presented himself in this building before the Dean of the Faculty, Dr. Channing, and a little dapper old gentleman, whose keen, spectacled eyes, bent on a large pile of bank-bills, told of profit and loss, and showed the business man of the insti-

tution, to procure the necessary tickets of admission to the several courses of lectures, which were to commence on the ensuing day. This mercantile transaction occupied but a short time, and, soon armed with some large and variously colored pieces of pasteboard, covered with printing, and certified by the signatures of the professors, he started for a survey of the building and his future field of action.

With that sentiment of curiosity which each tyro feels, he first directed his steps to the dissecting-room, that golgotha whose secrets are so faithfully kept from the prying world. The long, low room, dimly lighted from above; the rows of dark red wooden tables; the students lounging about in their red woolen shirts, knit caps and india-rubber sleeves; some smoking cigars, or short clay pipes, chatting or cracking jokes; others busily engaged in their work over some unsightly relic of humanity; the nauseating odor which pervaded the air, in no wise favorably neutralized by the clouds of tobacco-smoke; the blood dripping to the floor from many a divided vein; the bits of flesh, hair, and bones, scattered at random over the dirty floor; the broken coffins piled in the corners; and the sole ornaments, some grinning skeletons—were not of so cheerful a character, but that he was soon glad to escape into the freer air of some of the other rooms. Such was the place where he was afterward destined to pass so many useful hours.

The lecture-rooms, which composed the rest of the building, presented little that was curious or attractive. Nearly uniform in their arrangement, there was simply a desk for the lecturer, surrounded, in circular rows, by seats rising one higher than the other. Perfectly plain, with no ornaments or comfortable luxuries, they were fitting types of the dry, hard labor which was there to be undertaken.

The first lecture, attended the next day, was upon chemistry, delivered by Dr. John W. Webster, whose name afterwards attained so public and unenviable a notoriety. This professor, a short, thick-set man, quick and energetic in his movements, with his restless, ever-watchful eye partially concealed by gold spectacles—at one moment explaining some point or elucidating

some theory; at the next dashing, in an apparently reckless and careless manner, among his curiously shaped jars and various apparatus and concealed troughs, to establish the fact in the performance of the experiment—was never very well patronized by a full attendance of the students. His lectures were not of that value expected and needed by his hearers, as they bore too little upon chemistry in its relations to medicine, and treated too much of the science itself, and of various theories and disputed facts—a mere rudimentary knowledge of which could only be acquired by a course of study much longer than any of those present had either the wish or the time to pursue.

The anatomical lecture which followed, delivered by Dr. John C. Warren—whose recent death has left a void which can never be filled, and whose singular request, as regards the disposition of his remains, shows the devotee of science and the reasoning man—always secured a crowd of eager students. The Venus de Medici and Belvidere Apollo, the first in marble, the second in plaster, stood sentinels at each side of the door which he entered. A long table for the reception of any specimens or preparations which he designed to exhibit, and before which he stood when lecturing, a number of carefully prepared diagrams and models, were all that disturbed the simple character of the room.

The Professor, full of years and honors, was at this time at the zenith of his fame, and in the full enjoyment of the confidence and esteem of his fellow-practitioners and the public. The change, brought about by age, which a few years later came upon him, had not then in the least dimmed the lustre of his name or brought a shadow of a doubt as to his physical incapacity.

His appearance was remarkable, and such as to attract the attention of every one who came in contact with him; his almost painfully thin, yet upright form; his high forehead covered with scanty gray hair; his shaggy eyebrows shading his bright piercing eye; the deep lines in his strongly-marked face, all showed the man of iron will, and cool, fearless determination. Nor was this in any way disproved by the high brusque authoritative tones of his voice when lecturing, or about to engage in

some operation. Here the wonderful steadiness of his hand, the unyielding, unimpressionable character of his nervous system, when interested in any detail of his profession, showed one reason for his professional success and the benefits which he had been enabled to confer on so many of his fellow-men. It has been said that he was cold, haughty, and even unfeeling; that he looked upon and cared for nothing beyond his own success and reputation; that he regarded suffering humanity but as a medium for the exhibition of his skill and knowledge; but how well was this afterward disproved when he had given up the active exercise of his profession. To him, medicine, the world over, but especially in Massachusetts, owes much; and his strenuous efforts and subsequent successes in the legalization of dissection, and many dissertations and selected cases, will bear their fruits as long as the *ars curandi* shall remain a praiseworthy pursuit for man. Nor has science less cause to thank him for his exertions; and his museum of comparative anatomy, and carefully-prepared collection of fossil remains, remain as enduring monuments of his patience and industry. His lectures, full of sound instruction for the student of surgery, and of simple plainly-stated facts for the novice in descriptive anatomy, were freely illustrated by cases from his varied and extensive practice, together with such bits of information as he knew would prove useful, and which could not be acquired in any other way. Peace to his ashes! and may honor always cling to the memory of this high-minded, humane man and bold surgeon, whose happy lot it was to be the first to use publicly, regardless of sneers and doubts, that soother of anguish, whose advent he rejoiced in as much as the many whose sufferings it relieved.

The lecturer on midwifery, Dr. Walter Channing, whose genial good-natured countenance, rotund form, free and easy manner, still gladden the hearts and eyes of the inhabitants of Boston, although he has retired from his chair at the college, was a universal favorite. The most abtruse points were made attractive by his manner of description, and the most common-place topics were invested with a peculiar and constant interest, while the whole discourse was enlivened with such a never-failing sup-

ply of quaint stories, lively jokes, and sparkling wit, that the mere collection of one half that was dropped with such an unsparing hand, would fill a volume for the retailing of some modern Joe Miller.

The most important, but perhaps with the exception of chemistry, the least attractive at first, of any of the subjects pursued by the medical student, is the "Theory and Practice of Medicine." The least attractive, because the length and apparent repetition of the descriptions of the various diseases, the stringency made in the distinctions, and the minutiæ of the rules for treatment, all demand a constant and persistent attention of the mind, and a severe effort of the memory. Important, because it is the grand aim and object of the course of medical study; the one great head to which all the others must be subservient, and to a proper preparation for which they all lead. Even surgery, distinct branch as it is, and apparently in no way allied to its less-showy and non-obtrusive sister, depends for much of its success upon the assistance which is afforded by the knowledge of the body in disease, and the means for its restoration; and futile would be the efforts, no matter how good the anatomist, or how skillful the surgeon, were there not an auxiliary knowledge of a subsequent course of treatment, and the remedies to be employed. The stillness of the lecture-room, the compressed lips, strained attention, and ever-moving pencils of the students, all evidenced the appreciation of this, and not a word which fell from the lips of the speaker was allowed to pass unnoticed.

Dr. John Ware, who was then the professor of that particular branch, but who has now in a great measure retired from his connection with the college, and lives in the calm quiet enjoyment of a well-spent life, and the results of an extensive and lucrative practice, still nominally engaged in the pursuit from which he has found it so hard to separate himself, but really having moved his *urbs in rure*—lectured as he has practised, to the point and successfully, stating what he had to say in a simple and almost too severe a manner. Without a particle of rhetorical flourish, or spark of facetiousness, he expounded the greatest principles of his noble profession. No crude theories, wild

speculations, disjointed thoughts, nor half-digested ideas, fell from his lips; but all was sure and carefully prepared, composed of the gifts of centuries, and his own great experience. To the latest day of his life, the student can always refer to the notes taken at his lectures with profit and a feeling that he will not be deceived.

In appearance he was rather small, but with a trim, well-balanced figure, a singularly pleasing intelligent countenance, and a calm, dignified manner, which was sure to attract and rivet the attention of his pupils.

Dr. George Hayward, now living in Boston, and in the full practice of his profession, though in no way at present connected with the college, was then the professor of *surgery*. His lectures were instructive, and his clinical remarks on the cases at the hospital, were full of practical application and of undoubted value. The note-books, the index to the hard-working student, were vigorously employed, and many a subsequent operation and wise decision has taken its origin from the lessons acquired under his tuition. Last, though by no means the least on the list of professors, was Dr. Jacob Bigelow, the lecturer on *materia medica*, who now stands at the head of his profession as a medical botanist, skillful diagnostician, and scientific practitioner. Nor alone for these will he be remembered, but as the man of refinement and polite cultivated taste, the votary of art and architecture, the author of no little note, and as the one who has done more than all others to abolish the disagreeable and unhealthy custom of intermural burials, and at the same time founded that ornament and pride of Boston, the cemetery of Mount Auburn.

With a dignified, but rather stern countenance, a quiet, and unpretending manner of speaking, he at first impressed the student unfavorably; but when interested in his subject, and warmed by the many thoughts which crowded upon him, so many jokes, and such real wit fell from that grave face, as to almost rival in number those of his brother professor in midwifery.

Of these six men, it will be seen, not one is now really on active duty at the new college. Two are numbered with the dead, and all have been succeeded by younger men, their former

pupils. Well, however, has the mantle fallen, and right trustworthily are they putting in practice what the wisdom and instruction of those before them have inculcated. And never at any time since its foundation, has the old college been in better hands, or more deserving of the respect of its absent pupils or of those which are to come.

As one part of the course to be pursued by the medical student was a daily attendance upon the clinical instructions, in the wards of the Massachusetts General Hospital, young Morton took every opportunity to avail himself of the advantages which this furnished.

This noble charity, one of the finest institutions of the kind in the world, is a model of arrangement and constant care. With all its appointments, if in any way erring too much to the side of luxury, with its scrupulously clean halls, its entries carpeted with Canton matting, its stone stair-ways and waxed floors polished to a painful nicety, its attendants, beds and tables so well cleaned that one would almost suspect that it was done for that occasion, did not the visits day after day, show the same result, it presents, the perfection of those buildings, whose principal visitors are sickness and death.

A visit made at an hospital at the time of the daily round of some surgeon or physician, is well worth the trouble of any person even not engaged or interested in the practice of medicine. To see him as he passes from the bedside, where the flushed face, shining eye, and restless limbs, show some acute disease, to that where the extended emaciated form and pallid face betoken the chronic, wasting malady, and witness his gentleness, tact, and ready adaptability to circumstances, a lesson can be learned which will not be forgotten for a lifetime; at one moment with quiet, shrewd smile, humoring yet guiding in the right direction the vagaries of some querulous hypochondriac; at the next, controlling, by his stringent orders and firm will, the delirious ravings of some person under the violence of fever; now bringing comfort and consolation to the bedside of some frail, delicate girl, whose startled eye, as she looks upon his face to seek for hope and relief, betokens a world of confidence and trust; and

then, perhaps at the next step, to throw aside apparently all feeling and thought of self, and amid the agony which some operation, rendered imperative, forces him to cause, to preserve a placid, calm exterior, as if there was nothing farther from his mind than that upon which he was then engaged. Here are pronounced those terrible decrees which condemn the strong man to lose those limbs of which he has so long and so fearlessly availed himself; or the delicate woman, that bosom, upon which her cherished children so often have pillowed themselves. On all sides can be seen the quiet, uncomplaining, suffering, of hip or spine disease, or the convulsive, overwhelming agony of some maimed or bruised relic of an *accident*. Can it be otherwise than natural that even if softness of heart exist, it must be hidden under the cold and callous exterior, and that the welfare of the sick prohibits all other display than what the world calls reckless, unfeeling determination.

The operating theater of the hospital (in which the first public exhibition was made of the anæsthetic powers of ether) is situated high up immediately beneath the central dome, arranged very much like the lecture-rooms; it is smaller, in order to allow free view from every part of what is going on in the centre, and has certain other peculiarities. In one corner are the Egyptian mummy and some cases, so long among the popular sights at the hospital; along one side, in large glass cases, are arranged and kept in careful order long rows of glittering knives, saws, and other surgical appliances, all looking as innocent as if they knew nothing of physical suffering. In various parts of the room are tables, chairs of various patterns, and each made for some especial object; hooks, rings, and pulleys, are inserted into the wall, and everywhere something meets the eye which shows that it was designed for some specific and terrible purpose.

Now let us imagine ourselves as spectators in this inquisitorial torture-chamber—and see in review one or two of those operations, common, and rendered necessary, before the introduction of that blessing, ethereal inhalation. The first patient to be brought in is a large and powerful man, who, by a fall, has dislocated the hip joint. The muscles, irritated and contracted, have drawn the

head of the bone far from its socket. Laid upon a mattress, the end of the cord of a pulley is attached to the affected limb, while the body, trussed up by appropriate bands, is fastened to another; now several powerful, muscular assistants seize the ropes, and with a careful, steady drawing, tighten the cords. Soon the tension makes itself felt, and as the stubborn muscles stretch and yield to the strain, one can almost imagine that he hears the crack of parting sinews. Big drops of perspiration, started by the excess of agony, bestrew the patient's forehead, sharp screams burst from him in peal after peal—all his struggles to free himself and escape the horrid torture, are valueless, for he is in the powerful hands of men then as inexorable as death. But still this must go on, the end is not yet—still a distance intervenes between the ball and its socket; stronger comes the pull, more force is added to the ropes, the tugs, cruel and unyielding, seem as if they would burst the tendons where they stand out like whip-cords. At last the agony becomes too great for human endurance, and with a wild, despairing yell, the sufferer relapses into unconsciousness. Providence, merciful in its wisdom to man, has brought the only relief which can be afforded now. The surgeon avails himself of this opportunity and the relaxation of the tissues consequent upon the insensibility, and seizing the limb by a dexterous twist snaps the head of the bone into its socket. The operation is done, and the poor, prostrated, bruised sufferer can be removed to his pallet to recover from the fearful results of the operation as best he can.

But at this date how different is the procedure. Now, under the influence of the ether, the same state of insensibility and relaxation can be at once produced; and, in most cases, without the aid of pulleys, or any of those other dreadful appliances, with the exhibition of but a moderate amount of force, the surgeon can at once rotate the bone into its cup. No more of those scenes which would rival the palmiest days of the Inquisition, shock the nerves of sensitive friends—no more screaming and brutal violence accompany each reduction, but all is painless, quiet, unobtrusive.

Let the next supposable case be one of the many operations

demanded by woman. With a meek, imploring look, and the startled air of a fawn, as her modest gaze meets the bold eyes fixed upon her, she is brought into the amphitheatre crowded with men anxious to see the shedding of her blood, and laid upon the table. With a knowledge and merciful regard to the intensity of the agony which she is to suffer, opiates and stimulants have been freely given her, which, perhaps, at this last stage, are again repeated. She is cheered by kind words, and the information that it will soon be over, and she freed forever from what now afflicts her; she is enjoined to be calm, and to keep quiet and still, and with assistance at hand to hold her struggling form, the operation is commenced.

But of what avail are all her attempts at fortitude. At the first clear crisp cut of the scalpel, agonizing screams burst from her and with convulsive struggles, she endeavors to leap from the table. But the force is nigh. Strong men throw themselves upon her, and pinion her limbs. Shrieks upon shrieks make their horrible way into the stillness of the room, until the heart of the boldest sinks in his bosom like a lump of lead.

At length it is finished, and, prostrated with pain, weak from her exertions, and bruised by the violence used, she is borne from the amphitheatre to her bed in the wards, to recover from the shock by slow degrees.

How would the same case be now? With a sweet, calm smile playing around her mouth—an evidence of pleasant dreams—her eyes fast closed, as in a gentle sleep; her body extended languidly and listlessly, as in the repose of early childhood, surrounded by no ill-favored men, whose powerful aid will be needed; with no crowd of medical men to guard against unforeseen accidents. The surgeon, and his two assistants, to pass the necessary implements, or to assist in stanching the blood, are all who are required. At his leisure—not hurried by the demands of pain to complete as soon as possible—he can coolly prosecute his work, varying it to suit any exigency of the occasion, and ready to profit by any favorable contingency which its course may present.

When finished, and all is in that proper condition which will

demand no fresh interference for some time, the patient is awakened from her slumber, and receives the glad information, that it is all over, and she to be tortured no more. The one happy, grateful look which answers this news, can have no value placed upon it. Alone, it is worth a lifetime of exertion and trouble.

Amid such scenes, at the college, and under the careful private course at the dissecting-room, under the late Dr. Samuel Parkman, whose death has been so severely felt, Morton passed the ensuing winter, laboriously working, and known as a zealous and faithful student.

The tedium of the course, and the monotony of study, were occasionally varied by social reunions at the houses of the various professors. Here, refreshed by songs, free and easy chat, and the many luxuries of a well-spread board, he was enabled to form many pleasant and profitable acquaintances, some of whom have since risen to eminence in their profession, and acquired the confidence and esteem of their many clients. How little did his fellow-students dream, as he joined them in their walks through the wards, and witnessed the acute sufferings seen on every side, or as he met with them at these social gatherings, that within a few months Morton would demonstrate before these very professors, and before many of themselves, that he possessed a boon for suffering humanity that had for ages been sought in vain!

CHAPTER IV.

PRACTICES DENTAL SURGERY.

"There fields of light and liquid ether flow."—*Dryden.*

During the whole of the period of his attendance at the hospital and school, Morton was obliged to devote a large amount of time, every moment which his studies permitted him to spare, to his own operating rooms and dental laboratory. Being widely and favorably known as a good mechanician and careful operator, the calls, although now aided by a large corps of assistants, were so frequent as to allow him little rest from morning until night. In addition to this physical labor, he during this time communicated several valuable papers to the medical journals, either upon some improvement in practice, or some novelty in mechanism or dental surgery, for which he received much credit.

Among these were reports of two cases which are well worthy of mention, as being somewhat out of the line of the dentist, and lying within the domain of the surgeon, and showing what was then his skill and ingenuity.

A young man applied to him for relief of a deformity, consisting of a hare-lip, cleft palate, deficient palatine arch and nasal septum, which, in addition to the hideous appearance it gave him, almost prevented his intelligible utterance. Employing the same principles which he had made use of in his new method of sustaining the plates for artificial teeth, namely, atmospheric pressure, Dr. Morton constructed a gold plate, on which were in-

serted the three front teeth which were deficient. This he adjusted so accurately over the place where the tissues were deficient, that not only was all appearance of deformity nearly remedied, but the young man could distinctly pronounce each letter of the alphabet, and was soon able to converse nearly as well as any ordinary person.

This success attracted in a great degree the attention of many distinguished persons, among others, Dr. J. Mason Warren, who has done so much himself for the relief of this very deformity, and added so much valuable matter to the literature of the subject of the operation for Staphyloraphy. The well known elocutionist, Mr. William Russell, stated in a letter: "I have been much impressed with the success attending the use of the artificial substitute. The exact and skillful adjustment of the article to the defective parts of the mouth, seemed not only to contribute to the convenience and comfort of the patient, but to secure, to a very great extent, the natural and proper sound of the voice, and the distinctness of the articulation. In this instance the good effect was such as I could not have credited without actual observation."

The second case was that of a young woman who, by disease had been so unfortunate as to lose the whole of her nose. Having taken an accurate mould from a dwarf in the city, who was noted for the beauty and symmetry of her nasal protuberance, an exact copy was made by Dr. Morton, in platina, and enamelled. This, colored as nearly to life as art could make it, was attached to her spectacles. With this accessory appendage well adjusted, and a piece of court-plaster placed as a beauty spot upon her forehead, to act as a foil and attract the attention of those who saw her, the defect was hardly to be noticed.

For the manufacture of artificial teeth, a large number of which were consumed in his own practice and in supplying other dentists of the country, he acquired a high reputation. Knowing "that it is indispensable for a dentist to manufacture the teeth which he uses, although it be more expensive than to purchase, as the difference of fit is as great as in the case of a suit of

clothes made to order, and a suit ready made," he established a manufactory in the country.

A description of this factory, and of the process of manufacturing artificial teeth, which was published in one of the papers at that time, may prove novel and interesting to many of the readers. "But we had not come out to admire the landscape. Our curiosity had been awakened by hearing that a show-case, destined for the London Exhibition, of which we spoke a fortnight since, was to contain nearly *one hundred thousand false teeth!* And having visited nearly every description of "mill" in various quarters of the globe, we had some curiosity to examine a Tooth Mill! Our curiosity was gratified in the most obliging manner, and we, kind reader, will now pass with you through his large establishment. Mr. Flagg, the foreman of the establishment, will accompany us. He is a brother-in-law of Dr. Morton, and has been fully initiated by him into the mysteries of what we are to witness.

"Entering, we first examine a steam-engine, throbbing away like a fettered giant, yet obedient as a child to its vigilant director. He has but to move a finger, and his iron slave, still pursuing its labor, pumps water, blows the fire, or propels supplementary mechanical devices, of which we shall hereafter speak.

"Now we enter the 'Mill' proper, where the stones revolve with fearful velocity, and send forth a delicate flour. Taste it not, unless you wish to have your teeth set on edge, for it is *pulverized stone;* ay, and that of the hardest kind, as you may see by examining one of the lumps in yonder pile. Let us take one of these, and have it put through by the workmen.

"The quarry whence this obdurate mass of quartz and spar comes, is in New-Jersey, whence tons are brought to the factory by the iron horse. Once in this establishment, it is broken into small pieces, and the best bits are culled with care.

"They go into the mill, whose hard quartz stones revolve with almost electrical swiftness. 'Munch, munch, munch,' as said the chestnut-eating dame in Macbeth. Out it comes, at last, in a white, pure-looking powder, which resembles pulverized pearls, sprinkled with diamond dust.

"This would make teeth which would rival those of the freshest country beauty; but they seldom require them. The future wearers will be on the shady side of life, or disease may have left tell-tale marks. So various metallic oxides are called into requisition, and mixed with silex in fixed proportions.

"This tinted powder then goes into 'mullers,' gigantic bowls dug from masses of rock quartz, in which iron arms knead and stir and mix the powder into a well-digested paste.

"Now we will go upstairs, where the teeth are manufactured. In a long room, lighted from the ceiling, sit fourteen young women, each with her implements before her.

"The parts which we saw mixed down below, is brought up and placed before the first damsel. Taking a 'mould' in her left hand—(it is an American invention)—she proceeds to fill each division of it with paste, using an instrument to ram it home. Then, by a simple movement, the mould is opened, and, *presto*, we see a dozen teeth moulded after nature.

"A small furnace, placed upon the bench, is next used to so harden the paste that the teeth can be handled, and after passing through several hands, they are placed in a larger furnace, and agglutinated, platina pins having been previously inserted. Imperfections are removed, the shapes are perfected, and the teeth (though not vitrified) are in a state to receive enamel, and, as it is technically called, are *biscuit*.

"The enamel is applied, a process which requires much care. Having a quantity of the enamel prepared of the consistence of cream, and of the exact tint required, it is applied to the face of the tooth with a camel's hair brush.

"Another operator (or rather operatress) then goes over the tooth with a delicate instrument, to even its surface, and give it the perfect appearance of one of Nature's handiworks. It is now ready for the furnace.

"Descending to the lower floor, we find the furnace, which is heated by an anthracite coal fire, fanned by a steam-propelled blower. The teeth, placed on platina slides, which are inserted into platina ovens, set in the middle of the furnace, are there subjected to a heat of the most intense description. When sufficiently

baked in this Vesuvius, they are 'annealed,' and then 'tested.' Those which are now approved may be thrown from a considerable height, while red hot, into a tub of water, without exploding, or driven with a hammer into a pine board. The furnace is one of the most interesting departments of the establishment, and is placed under the supervision of an operative possessing great skill.

"The perfect teeth are carried from the furnace up-stairs, and we will follow them. One of the females examines them with care, and assorts those destined to form sets. Another arranges these sets, by sticking the teeth on strips of wax, and they are then taken to the counting-room.

"In the counting-room, assortments are arranged in pasteboard boxes, and these are packed for every part of the United States. There are also extensive agencies in Europe, and, if we mistake not, the case at the London exhibition will 'astonish the natives.' In the counting-room is a gigantic safe, where the valuable moulds and the platina wire are deposited every night.

"There is also a department for the manufacture of 'moulds,' a workshop, turning lathe, and other appliances; but we must leave them."

Applications for teeth of his manufacture, and for permission to act as his agents for their sale, were constantly received from various parts of our own country and Europe. Some of these orders, and the figures stating the amounts required, would be perfectly astounding to any uninitiated person, who is not aware how generally the absence or defect of one of Nature's greatest beauties is supplied by what is false, and the result of man's handicraft.*

* To show the amount of business transacted by Dr. Morton at this factory, I give a copy of a note from among his papers:

"BOSTON, May 21st.

"DR. MORTON—Dear Sir: You may send me 2,000 lbs. of your best Fieldspar, finely powdered; 1,000 lbs. of your best Silex do. do, if pure, and like samples furnished.

"Yours, very truly, JOSEPH BURNETT."

Three thousand pounds wanted, enough to manufacture an almost incalculable number of teeth, for the retail trade of one man alone.

In addition to these, he was at this time besieged by numbers of letters from young men, or their parents or friends, soliciting his services as an instructor. His correspondence with these persons shows the amounts which he could have received from this source alone. Had he wished to comply with all these demands, it would have furnished him with quite an income.

But his numberless engagements, and a feeling that the opportunities would be wanting to do full justice did he comply with so many applicants, prevented his receiving more than a limited number. No idle time was now allowed; his appointment book was commonly filled for several days ahead, and he and his assistants were obliged to labor zealously from early morning late into the night.

Such at this time was the position and standing of that man who in after-years was assailed by an opponent before a Congressional Committee, by the declaration that "in knowledge and intellect he is an ignoramus and an imbecile, not only not possessed of science, but mentally incapable of attaining it." Is the assertion well sustained by facts? Does the history of the past warrant an assumption so bold and contemptuous?

In order to show the amount and character of the business which he afterward sacrificed in prosecuting his claim to the discovery of etherization, I have copied from his day-book, to which I have had access, the principal entries made for the month of May, for three successive years—considering them as a fair average of the aggregate of his receipts for the whole year.

By the appended note, it will be seen that if we consider this as a fair average for the three years, Dr. Morton at the time of his discovery, and when in the full tide of professional practice, was in the annual receipt of more than $20,000 per annum; nor were the expenses for conducting this large business and the purchase of the amount of costly materials used in less proportion. His account-books show that during these years he paid to Joseph Burnett, the well-known druggist, more than $10,000 for dental materials alone. In addition to the above large expense he was obliged to pay for his rooms, laboratory, and far salaries,

and to his assistants, seven thousand dollars—making his annual expenses when in full tide of practice, $10,000, in round numbers. As he was careful and economical in his expenses in everything but what was needed in his business, he had every prospect of being able, in a few years, to retire with an independent fortune, and pass the rest of his life free from professional cares in its quiet enjoyment.

MAY, 1844.

Moses Street, LL. D.	Andover	$60 00
Nath'l Whittemore	Hingham	90 00
Hon. B. Buckman	Woburn	60 00
Mr. Stephen Smith	Brighton	65 00
" Ezra Farrer	Watertown	75 00
" John H. Parsons	Boston	22 50
" H. D. Rice	Stoning'n, Ct.	10 00
Miss Stone	Boston	35 00
Orin A. Tomblin	N. Brookfield.	100 00
George De Wolfe	Cuba	250 00
D. F. Bumstead	New Bedford.	10 00
L. Thomson	Salem	74 00
Thos. B. Dascombe	Boston	60 00
Joseph R. Healy	"	125 00
Eben. T. Andrews	"	90 00
Total		$1,126 50

MAY, 1845.

William Ropes	Boston	$300 00
Alexander H. Ladd	Portsmouth	350 00
Andrew Robeson	New Bedford	400 00
Dr. J. B. Brown	Boston	50 00
Joseph Loring	"	200 00
John W. Capron	Uxbridge	150 00
Rufus Bremer	Framingham	125 00
John Downs	Com. U. S. N.	100 00
Mrs. Dr. Charles T. Jackson	Boston	35 00
Joseph Pratt	Worcester	125 00
Mrs. Brigham	Boston	40 00
Asa Combe	Rochester	112 00
Mrs. Briggs	Scituate	24 00
Mr. Harding		6 00
John Liscombe	Boston	117 00
Mr. Ira Gale	"	40 00
" Holman	"	5 50
Mrs. Luther	"	13 75
Rev. Uriah Underwood	East Douglas.	35 00
Miss Colburn	Boston	10 00
Mr. Wetherbee	"	50 00
" Richardson	"	50 00
" Foster	Woburn	10 00
" Walcott Peck	Attleborough	165 00
" Jas. E. Murdock	Boston	12 00
" John Chorley	"	125 00
Total		$2,650 25

MAY, 1846.

Mrs. Hayward	Boston	$200 00
" Prescott	"	200 00
Dr. McLean	"	50 00
Mr. Thomas Budlong	Providence.	175 00
" Sam. Whitmarsh	Northamp'n.	300 00
" William Forbes	Boston	150 00
" S. R. Raymond	"	50 00
" E. H. Davis	"	125 00
" H. Blake	"	50 00
Mrs. Gavet	"	40 00
Mr. Wm. Smith	"	40 00
" Elisha Innes	Quincy	125 00
" Nathan Doty	Milford	35 00
" Emery Bell	Boston	135 00
Professor Farrar	Cambridge	225 00
Mr. L. M. Hardy	Malden	75 00
Miss Sarah Folsom	Jam'ca Plains	37 00
Mr. Wm. B. Pratt	Milbury	50 00
Miss Reed	Lowell	70 00
Rev. Wm. M. Rogers	Boston	12 00
" Wm. Crowell	"	11 00
Mr. Piper	"	4 00
Miss Hagerston	Watertown	12 00
Mrs. Elizab'h Stone	Worcester	100 00
Dr. Robbins	Roxbury	75 00
Total		$2,346 00

CHAPTER V.

DISCOVERY OF ANÆSTHESIA.

"He alone *discovers* who *proves*."—*Dr. Paley.*

"This assertion is just; not only because, until a theory is proved to be the true one, it has no pre-eminence over the numerous other guesses among which it circulates, and above which alone the proof elevates it, but also because he who takes hold of the theory so as to apply calculation to it, possesses it with a distinctness of conception which makes it peculiarly his."—*Whewell, History of the Inductive Sciences.*

While Dr. Morton was still a student of medicine, and engaged, as has been described in the two previous chapters, there were occasional exhibitions before the students of Nitrous Oxide Gas. On one of these occasions, during the winter of 1844, and 1845, it was exhibited in the presence of the whole class, for the purpose of extracting a tooth without pain. The patient screamed, the students laughed and hissed, and the experiment was looked upon as a failure of course.

But one good effect was produced by this failure: it rejuvenated, in the mind of Morton, that idea which had always remained nestled there, asleep part of the time, but with its vigor in no wise extinguished, that some agent existed, and would in time be found, which could be safely taken, and would deaden all feeling of pain.

His old speculations upon the effects of the ether, which he had noticed when he had used it locally in the tooth of Miss Parrott, came back to his mind, and again he determined to prosecute the subject, notwithstanding his previous temporary ill success.

If ether, rubbed or laid upon a mucous membrane, would produce such an amount of local insensibility, what prevented its being used in larger quantities, and upon a more extended surface of membrane, so as to produce a general insensibility. But the

question was, "How is this to be done?" "Why not?" said his ingenuity, "by the same means that you have just given the nitrous oxide gas; it is nearly as volatile as gas—it can be inhaled, and taken into the lungs; it will at once be applied to a surface of mucous membrane greater than the amount in the rest of the body put together; moreover, it will be at the spot the most probable to produce its effects, where the blood to be sent to all parts of the system is prepared and rendered fit for use."

But then came the doubt, "Is this safe? can an agent so powerful be taken in such quantities, or into such a place, with impunity?" To this inquiry he directed his attention, and again commenced a course of investigation and reading on all that related to this particular method of using the ether.

Among many other books, he referred to "Pereira's Materia Medica," where, under the head of ether, he found stated, that, "the vapor of ether is inhaled in spasmodic asthma, chronic catarrh, whooping-cough, and dyspepsia, and to *relieve* the effects caused by the accidental inhalation of chlorine gas;" also, that "when the vapor of ether, sufficiently diluted with atmospheric air, is inhaled, it causes irritation about the epiglottis, a sensation of fullness in the head, and a succession of effects analogous to those caused by the protoxide of nitrogen (laughing gas), and persons peculiarly susceptible to the action of the one are also powerfully affected by the other. If the air be too strongly impregnated with the ether, *stupefaction* ensues. In one case this continued with occasional periods of intermission for more than thirty hours. For many days the pulse was so much lowered that considerable fears were entertained for the safety of the patient. In another case, an apoplectic condition, which continued for some hours, was produced."

Here certainly was some information; it could be inhaled in small quantities with safety, although with slight discomfort, but large amounts were dangerous. How dangerous, and what amounts were required to constitute this, he determined to discover by a gradual course of experiment.

But the first plan that occurred to him was to combine the ether with the narcotics which he had been previously in the habit of using, and see if the two together would not produce a relief from pain, quicker and more safely than ether alone. With this view, he placed various narcotic substances, such as morphine, opium, and others, and ether, in a retort, which he surrounded with a hot towel, and then cautiously, slowly, and with many misgivings, inhaled, little by little, from the other end. The effect of this was to give him atrocious headaches, but at the same time a general feeling of numbness, which was increased as rapidly as his boldness induced him to prolong the time of the inhalation.

He declared to Dr. A. A. Gould as follows:—"I will have some way yet by which I will perform my operations without pain."*

At this time, in the spring of 1846, his desire to experiment more fully, received an additional stimulus, from the information of a Mr. Thomas R. Spear, whom, at the recommendation of Hon. John P. Bigelow, he had lately received as a student into his laboratory. This person, in the course of a conversation upon these attempts, informed him that he had often inhaled pure, unmixed ether, when a student at Lexington Academy, in quantities sufficient to exhilarate him to a high degree; and that he had never experienced any injurious effects from its use.

From these representations, and in order to learn more of the character of the ether itself than he then knew, Morton took a vial, which contained a little of the same ether which he had been using, and repaired to the store of Mr. Theodore Metcalf,† an eminent druggist and chemist, who was then domiciled where he remains at present, at No. 33 Tremont-street; and who, from his supplying the medicines and drugs for the city institutions and the government hospitals at Chelsea, was fully competent to inform him as to its purity and condition.

* The sworn testimony of Dr. Augustus A. Gould, the Naturalist.

† The sworn testimony of Theodore Metcalf, a well known druggist, or

Mr. Metcalf, during the conversation which lasted about half an hour, spoke of many cases in which he had known of its being used, for the sake of producing exhilaration. Among others, of a man who became exceedingly wild, and in his struggles severely injured his head, and yet who, after the subsidence of the wild state, knew nothing of his injury until his attention was called to it. He stated that it could be inhaled in small quantities, but that it was the general impression that if taken in larger quantities, its effects would be dangerous and lasting, if not fatal.*

Taking with him a quantity of sulphuric ether, Morton repaired to the country, where, among several experiments which he made with it, the most marked and satisfactory was upon a water spaniel. The ether was poured upon some cotton placed in the bottom of a tin pan, and the dog's head was held directly over it. In a short time, (to use his own words,) "the dog wilted completely away in his hands, and remained insensible to all his efforts to arouse him by moving or pinching him;" and yet, after the removal of the pan, became in two or three minutes as lively, and conscious as ever. Here was the effect sought, and here was demonstrated a complete success. If this same effect could be produced in man, his long-wished-for hope would be attained.

Now, for the first time, he communicated his ideas and his firm

Boston, whose store was within a few doors of Dr. Morton's office, sets forth, that on the *6th day of July*, 1846, he left Boston for Europe, and did not return until October, 1847. That on *some day before his departure*, "*Dr. Morton came in and had a vial filled will sulphuric ether.* While he had it in his hands, he asked various questions with regard to its qualities and medicinal effects. He asked with regard to its effects when *inhaled.* That the conversation was half an hour long at least: it was a general conversation, entirely about the *inhaling of ether*, interspersed with anecdotes on the subject."

* Mr. Metcalf remarked, upon testifying before the commission, as to this interview, that he was in Italy when the ether discovery was announced, and that when he read an account of it, and ascribing the discovery to a Dentist in Boston, without any name, that he fixed it in his mind at once, that Dr. Morton was the man, remembering this conversation.

belief that he should be able to discover a means of extracting teeth without pain, to his brother-in-law, Mr. Francis Whitman,* and his assistant, Dr. Hayden, and his lawyer, Mr. Dana,† (this was in June, 1846,) and said jocosely, "that soon he should have his patients come in at one door, having all their teeth extracted without pain and without knowing it, and then, going into the next room, have a full set put in.‡

Finding that his prosecution of this idea required all his time, and that the onerous duties of his profession demanded too much of it, he determined to make some arrangement which should relieve him of a great portion of the burden. For this purpose, he had an interview with Dr. Grenville C. Hayden, and stated§ that having made a discovery which required all his time and attention to pursue, he wished to procure some one to super-

* The sworn testimony of Francis Whitman, another assistant of Dr. Morton, sets forth: That he had often heard Dr. Morton speak about discovering some means of extracting teeth without pain. This discovery appeared to be the subject of his thoughts and investigations, during the greater part of 1846.

† Vide, sworn testimony of Francis Whitman, Grenville G. Hayden, and Richard H. Dana.

‡ Evidence and affidavit of Francis Whitman, Esq.

§ The sworn testimony of Grenville G. Hayden, of Boston, sets forth: "That *on the last day of June*, 1846, Dr. Morton visited him to make arrangements for him (Hayden) to superintend the business in his office, giving as a reason, that he had an idea in his head, which he thought would be one of the greatest things ever known; that it was something he had *discovered which would enable him to extract teeth without pain;* that it was something that neither Dr. Wells, nor any one else had ever used; that he had already tried it upon a dog, and described its effects upon him, which exactly correspond with the effects of ether. That about a month after this, or the *first of August*, Dr. Morton asked me where he could get some *pure ether*, and asked me to go to Joseph Burnett's apothecary shop, and purchase a four-ounce vial full of ether; and about the same time explained the nature and effects of ether; that if he could get any patient to inhale a certain quantity of ether gas, it would cause insensibility to the pain of extracting teeth, and he tried to induce me to take it. That the first successful experiment upon any patient was made September 30th, 1846, by inhaling ether through a folded cloth, and on that occasion a tooth was extracted without pain."

intend his business on a *salary*, and that he could arrange it on advantageous terms. In the course of the conversation with him, Morton stated the substance of his ideas and the experiments which he had already made.

Having agreed upon a basis of contract with him to take charge of his business, their next step was to the office of Richard H. Dana, Jr., who had been for some time Morton's legal adviser. This distinguished lawyer, who had seen the many struggles and trials endured by Morton before he acquired his present lucrative business, was naturally very much astonished that he should be willing to turn over so many valuable patients to another person's care, and inquired the reasons for this extraordinary move. The same explanation was given which had been previously employed in the cases of the two others, and upon these representations the agreement was soon drawn up and signed.

Up to this time Morton had employed for inhalation indifferently, sulphuric and chlorine ethers; and as his number of experiments had used up his supply, he requested Dr. Hayden, during the early part of August, to procure him a fresh quantity from the store of Mr. Joseph Burnett, and proposed that he should inhale it, stating, at the same time, that he had already used it several times; but this suggestion Dr. Hayden respectfully declined.

This last supply procured was taken to the country. As, one day, he was giving it to his former patient, the spaniel, the animal, intoxicated, sprang against the jar, breaking the glass, and spilling all its contents but a small quantity. Morton, soaking his handkerchief in the portion which remained, applied it to his own mouth and nostrils, and by deep inspirations inhaled the vapor. Soon a feeling of lassitude came over him, followed by a complete but very momentary state of unconsciousness, as he states: "I am firmly convinced that, at that time, a tooth could have been drawn with no feeling of pain or consciousness." This was the first real verification of the theory on man—but on himself. Now it remained to corroborate it upon others.

Satisfied by this proof of the greatness of the discovery which he was so soon to give to the world, he became apprehensive, that his secret and future plans would be discovered, if he continued to buy ether at one place, and so often. He determined, therefore, to lay in a large supply, but to procure it where he should not be known, nor for what purpose it was intended. With this view, he dispatched one of his students. to the well-known wholesale house of Brewer, Stevens & Co., on Washington-street, and purchased a large demijohn, full.

The next move was to find a subject to whom to give it, and upon whom to experiment as to the state of insensibility. Morton had determined that if it was found sufficiently perfect, that he would extract a tooth while the person was under the influence. Search was madé around the wharves, and the stimulus of a liberal reward was made, but all without avail. The votaries of science did not exist in the purlieus of Ann-street or Quincy market, and the mouths which would have readily opened to take any amount of bad rum, could not be induced to take anything for experiment, even on the assertion of a medical man.

The same proposition which had been made to Dr. Hayden was, therefore, made to two of his students, William P. Leavitt* and Spear,† but for some time they refused, until, at last, con-

* "The sworn testimony of William P. Leavitt, one of Dr. Morton's assistants, sets forth, that a conversation took place between him and Dr. Morton, *subsequent to the first of July, before* the occasion when a man by the name of Eben Frost had his tooth pulled out—(30th of September)—some days, I should think, some weeks," which was commenced by Dr. Morton's coming "from his front office into the back office, in an animated sort of a way, and saying: 'I've got it. I shall take my patients into the front room, extract their teeth, and send them off without their knowing it.'" Further, that on some day subsequent to July 1st, he "heard Dr. Morton ask Dr. Hayden where he could procure some pure ether. He then spoke to me, and asked me to go down, take a demijohn, and get it filled, and be careful and not let any one know who it was for." That he did go; purchased the ether; "returned to Dr. Morton, and gave the ether to him."

† The sworn testimony of Thomas P. Spear, another assistant of Dr.

vinced by his assertions, that it was the same article which he had inhaled at Lexington Academy, Spear consented.

Under the influence of the ether, he became drowsy and stupid, and so far insensible as to drop the handkerchief; but as this passed off, he became so excited and furious, that force was necessary to confine him in his chair.

Some was then given to Leavitt with the same result. This was discouraging, and Morton was puzzled to know why the same effects were not produced on them which had been upon him. All at once the idea occurred to him, that as this last amount had been purchased of a wholesale firm, perhaps it was not so pure and good an article as that he had before used, and purchased of Mr. Burnett. This could only be told by an analysis. Consequently, to find out the truth of his supposition, Dr. Hayden took some of it to Dr. Martin Gay, and he being absent, to Mr. Burnett, who at once discovered that it was not chemically pure, but that it was adulterated by the admixture of several ingredients, but especially by the addition of a large amount of alcohol. This answer accounted to his satisfaction at once for the difference of the effects.

While at his house in the country where most of his experiments were conducted, he had formed the acquaintance of Mr. Joseph M. Wightman,* a scientific man and distinguished manu-

Morton's, sets forth, "That about the *first of August*, 1846, at the request of Dr. Morton, I inhaled a portion of ether, which William P. Leavitt brought from Brewer, Stevens & Co.'s, in a demijohn, in Dr. Morton's office. About a week after the ether was purchased of Brewer, Stevens & Co., Dr. Morton was expecting some persons at his office to witness an experiment, and he then offered me a sum of money if I would be present, and inhale the ether. I went home, and consulted my parents, and they advised me not to go. I have often heard Dr. M. say, that when he had concluded his invention for extracting teeth without pain he should be satisfied."

* The sworn testimony of Joseph M. Wightman, a philosophical instrument maker, of Boston, sets forth, that *in the summer of* 1846, Dr. Morton visited his store, and "asked to see some India-rubber bags; after examining them, he asked me if *they would hold ether*. He then inquired whether oiled silk bags could be used. I told him I had no practi-

facturer of scientific instruments, who was then spending the summer in a neighboring town. During a desultory conversation held with this gentleman, the idea occurred to Morton, that Mr. Wightman, with his knowledge of philosophical instruments, could devise some apparatus, having some analogy to the inhaling bag used in giving nitrous oxide gas, which would enable him to give the ether with more satisfactory results than from a handkerchief. For this purpose he one day called upon him, and keeping as much in the dark what he intended to do as possible, held a conversation with him on the subject. Besides some corroborative information as regards the effects of ether upon the human system, secured from him, Morton procured a glass tunnel or globe, with two apertures, and on his way home, likewise purchased an india-rubber bag, or bottle, near the neck of which he cut a small hole, of the shape of those in a common whistle, for the admission of atmospheric air.

By putting a sponge into the glass globe, or the body of the bag, and pouring the ether upon it, he formed two very satisfactory inhaling instruments. These were the first two used for the inhalation of ether, with a view of producing insensibility; although, as before stated, one had been devised for medical inhalation for disease.

Without going more into the details of his various experiments, or endeavoring to analyze, by what process of reasoning, Morton arrived at the conclusion of a probable reason for his many failures, or the appropriate remedies, I will state, for the edification of those who possess an extended knowledge of chemistry, that the ether sold in most of the stores, but particularly in the wholesale ones, under the head of "Commercial Sulphuric Ether," is not by any means pure; that is, what is called chemically pure; but is unavoidably mixed with other matters,

cal knowledge in relation to that matter. I advised him to call on Dr. Jackson, who could probably give him the necessary information." That this occurred at some time between the *first of August*, and the 28*th of September*, is proved by the fact of a conversation which took place between Dr. Morton and himself, on the cars, while on their way from the country.

which weaken it, but especially with alcohol. Dr. Ure states, that it contains from three to four per cent. of foreign matter; this can only be got rid of by a second careful distillation, at which time only it is fit to be inhaled.

The object with Morton, all this time, was to procure it as free from these objections as possible, and from the time when this fault was remedied he dates the success of his experiments. There is no reason whatever to doubt that had the ether administered by him to Leavitt and Spear been perfectly pure, this glorious discovery would have been made on the 30th day of August, instead of the later date, when it actually was.

Unfortunately for Dr. Morton, the investigations which his slight knowledge of chemistry rendered necessary to discover this fact, threw him into communication with others, who, taking advantage of the character of the questions asked, the uncommunicative manner of their being put, and induced by the credit subsequently thrown around the discovery by its public disclosure, have since stated that it was by suggestion that he made all his experiments, and have involved him in a constant and unhappy controversy.

The chemically pure ether which he now used, was procured from the store of Mr. Barrett, and was of the same quality as that which he had previously used upon himself. With this he made the grand experiment, which resulted in a complete corroboration of his belief; and so settled, to his mind, the truth of his convictions, that he could freely and boldly declare it to the world, and feeling certain of success, defy any one to deny its benefits. But in referring to this exciting and wondrous trial, let us quote his own simple, but well-stated description, contained in his memoir to the Academy of Arts and Sciences, at Paris, and which was presented by M. Arago:

"Taking the tube and flask, I shut myself up in my room, seated myself in the operating chair, and commenced inhaling. I found the ether so strong that it partially suffocated me, but produced no decided effect. I then saturated my handkerchief and inhaled it from that. I looked at my watch and soon lost consciousness. As I recovered, I felt a numbness in my limbs, with

a sensation like nightmare, and would have given the world for some one to come and arouse me. I thought for a moment I should die in that state, and the world would only pity or ridicule my folly. At length I felt a slight tingling of the blood in the end of my third finger, and made an effort to touch it with my thumb, but without success. At a second effort, I touched it, but there seemed to be no sensation. I gradually raised my arm, and pinched my thigh, but I could see that sensation was imperfect. I attempted to rise from my chair, but fell back. Gradually I regained power over my limbs, and full consciousness. I immediately looked at my watch, and found that I had been insensible between seven and eight minutes.

"Delighted with the success of this experiment, I immediately announced the result to the persons employed in my establishment, and waited impatiently for some one upon whom I could make a fuller trial. Toward evening, a man, residing in Boston,* came in, suffering great pain, and wishing to have a tooth extracted. He was afraid of the operation, and asked if he

* Mr. Eben H. Frost, who on the same evening gave Dr. Morton the following certificate, stating the performance of the operation, and what had been done to relieve him of the pain:

"BOSTON, *September 30th*, 1858.

"This is to certify, that I applied to Dr. Morton, at 9 o'clock this evening, suffering under the most violent toothache; that Dr. Morton took out his pocket-handkerchief, saturated it with a preparation of his, from which I breathed for about half a minute, and then was lost in sleep. In an instant more I awoke, and saw my tooth lying upon the floor. I did not experience the slightest pain whatever. I remained twenty minutes in his office afterward, and felt no unpleasant effects from the operation.

"EBEN H. FROST,

"42 *Prince-street, Boston.*

"We witnessed the above operation, and the statement is, in all respects, correct; and, what is more, the man asked where his tooth was, or if it was out.

"A. G. TENNEY, *Journal-office.*

"G. HAYDEN, *Surgeon Dentist.*

"BOSTON, *September 30th*, 1846."

could be mesmerized. I told him I had something better, and saturating my handkerchief, gave it to him to inhale. He became unconscious almost immediately. It was dark, and Dr. Hayden held the lamp, while I extracted a firmly-rooted bicuspid tooth. There was not much alteration in the pulse, and no relaxation of the muscles. He recovered in a minute, and knew nothing of what had been done to him. He remained for some time talking about the experiment. This was on the 30th of September, 1846. This I consider to be the first demonstration of this new fact in science. I have heard of no one who can prove an earlier demonstration. If any one can do so, I yield to him the point of priority in time.

"Afterward I made several additional experiments in my office, with various success. I administered it to a boy, but it produced no other effect than sickness, with vomiting, and the boy was taken home in a coach, and pronounced by a physician to be poisoned. His friends were excited, and threatened proceedings against me. A notice of my successful experiment having, without my knowledge, got into the papers, several persons called, wishing to have it administered. I gave it to a lady, but it produced no other effect than drowsiness, and when breathed through the apparatus, it produced suffocation. I was obliged to abandon this mode and try the globe, and procured one from Mr. Wightman; placing a saturated sponge in the larger end, she breathed through that. In this way she seemed to be in an unnatural state, but continued talking, and refused to have the tooth extracted. I made her some trifling offer, to which she assented, and I drew the tooth, without any indication of pain on her part, not a muscle moving. Her pulse was at 90, her face much flushed, and after coming to she remained a long time excessively drowsy. From this experiment I became satisfied of what is now well proved, that consciousness will sometimes remain after insensibility to pain is removed.

"I afterward gave it to a Miss L., a lady of about twenty-five. The effect upon her was rather alarming. She sprang up from the chair, leaped into the air, screamed, and was held down with difficulty. When she came to, she was unconscious of what had

passed, but was willing to have it administered again, which I did with perfect success, extracting two molar teeth. After this, I tried several other experiments, some with more and some with less success, giving my principal attention to the perfecting of my modes of administering it."

The public notice which had been drawn to these trials by the publication in the newspapers,* induced many to visit his office as patients, and from motives of curiosity or interest; among them Dr. Henry J. Bigelow, the eminent surgeon, from whose notes, made at the time, the following cases were taken, and are good examples of the usual results produced by the inhalation of ether, and of the feelings and expressions of patients under its influence.

"A boy of 16, of medium stature and strength, was seated in the chair. The first few inhalations occasioned a quick cough, which afterward subsided; at the end of eight minutes the head fell back, and the arms dropped, but owing to some resistance in opening the mouth, the tooth could not be reached before he awoke. He again inhaled for two minutes, and slept three minutes, during which time the tooth, an inferior molar, was extracted. At the moment of extraction the features assumed an expression of pain, and the hand was raised. Upon coming to himself he said he had had a 'first rate dream—very quiet,' he said, 'and had dreamed of Napoleon—had not the slightest consciousness of pain—the time had seemed long;' and he left the chair, feeling no uneasiness of any kind, and evidently in a high state of admiration.

"A girl of 16 immediately occupied the chair. After coughing a little she inhaled during three minutes, and fell asleep, when a molar tooth was extracted, after which she continued to slumber tranquilly during three minutes more. At the moment when

* "Last evening, as we were informed by a gentleman who witnessed the operation, an ulcerated tooth was extracted from the mouth of an individual, without giving him the slightest pain. He was put into a kind of sleep, by inhaling a preparation, the effects of which lasted for about three quarters of a minute, just long enough to extract the tooth."—*Boston Daily Journal*, Oct. 1st, 1846.

force was applied she flinched and frowned, raising her hand to her mouth, but said she had been dreaming a pleasant dream, and knew nothing of the operation.

"A stout boy of 12, at the first inspiration, coughed considerably, and required a good deal of encouragement to induce him to go on.' At the end of three minutes from the first fair inhalation, the muscles were relaxed and the pupil dilated. During the attempt to force open the mouth he recovered his consciousness, and again inhaled during two minutes, and in the ensuing one minute two teeth were extracted, the patient seeming somewhat conscious, but upon actually awaking he declared 'it was the best fun he ever saw,' avowed his intention of coming there again, and insisted upon having another tooth extracted upon the spot.

"The next patient was a healthy-looking, middle-aged woman, who inhaled the vapor for four minutes; in the course of the next two minutes a back tooth was extracted, and the patient continued smiling in her sleep for three minutes more. Pulse 120, not affected at the moment of the operation, but smaller during sleep. Upon coming to herself, she exclaimed that 'it was beautiful—she dreamed of being at home—it seemed as if she had been gone a month.'"

CHAPTER VI.

KNOWLEDGE ON SUBJECT ANTERIOR TO DISCOVERY.

"Divinum est opus sedare dolorem."—*Hippocrates.*

In order that the reader may fairly appreciate the difficulty Dr. Morton labored under in forming the conclusions which led to his making the discovery, owing to the slender basis of information which then existed on the subject, and the doubts which were generally held regarding the safety of the internal use of ether, let us review, from his own stand-point, and see what, in 1846, was the amount of knowledge concerning the inhalation of any vapors, the universal belief of chemists and physicians as regards all anæsthetics, and the means resorted to by them for relieving pain.

As pain has been the lot of all human beings since the first fault, attention from the earliest known time has been devoted to its relief or alleviation. Various have been the means suggested, and various the degrees of success, but all, unhappily, until this almost perfect remedy was proposed, proved either insufficient or dangerous.

Perhaps the earliest allusion to anything which our present knowledge can torture into a state of anæsthesia, or of exhilaration, anterior to that stage, can be found in the mythological account of the famous oracle of Apollo at Delphi, whose mysterious utterances, and artful directions, given to those who consulted its shrine, so long controlled the religious, social, and

political thoughts of the nation. The fable connected with its establishment runs, that a shepherd, pasturing his flocks upon the south side of Mount Parnassus, had his attention, upon several occasions, drawn to his flocks, which, upon approaching a certain hole or cavern, were instantly seized with convulsions and insensibility. Led by curiosity to the spot, he was himself seized in the same manner, and, as he supposed, became inspired with the gift of prophecy, evidenced by a species of delirious raving, and a pleasant, dreaming condition of the mind. The priests, ever alive to the necessity of craft in the religious government of the people, were soon informed of the occurrence, and did not neglect to avail themselves of this fine opportunity for deceiving the superstitious, and carrying on the jugglery of their sect. A temple was built by them over the spot, and in its interior a tripod was erected, upon which, the priestess Pythea, through whose mouth Apollo was said to speak, placed herself. As she gradually felt the effects of the diluted vapor, delirium seized her, which was soon followed by strong convulsions. And it was under the influence of this excitement and physical agitation that the oracles, in prose and verse, were uttered.

There is no reason to doubt, but that the vapor, which was here referred to, was carbonic acid gas, or some sulphureous mephitic air; most probably the former, as its effects at present recognized are more nearly allied to the exhibition described. The result of breathing these airs, for any length of time, would be certain death; but it is supposed that the priestess was removed, by attendants, in time to prevent such a catastrophe.

At the present time there exists near Naples the well-known *Grotta del Cane*, described as long ago as the time of Pliny as among the "*spiracula et scrobies Charoneæ mortiferum spiritum exhalantes*," from whose sides exhales steam mixed with carbonic acid gas, which accumulates in great quantities on the floor, and flows over the side of the door. Claverius states that it was formerly used as a place of execution for Turkish captives, who were shut up in the cave and suffocated by the noxious fumes. Don Pedro de Toledo, at a much later day, tried the same ex-

periment on two galley slaves. At present its peculiar properties are only used to furnish a cruel amusement to gaping travelers, and put a few pauls in the pockets of its lazy custodian. It is his custom to take a dog, and putting him into the cave, let him feel the poisonous effects of the air, which, as its superior weight keeps it elevated but a few inches from the floor, he soon feels, while the spectators, raised above the stratum of carbonic acid gas, breathe only the pure atmospheric air, and escape unharmed. As soon as the convulsions have been followed by insensibility, the animal is removed to the open air to recover from the effects, and prepare himself for a second exhibition, at the order of the next visitor.

The employment of this same agent for producing insensibility has been at various times suggested and tried; but the imperfect and satisfactory results, and the great danger to life from its really poisonous properties, have hitherto deterred any approach to a general adoption. Within the past two years, however, its use has been suggested in England, as a means of producing a *local* anæsthesia of any part to be injured, by throwing upon the surface of the skin, immediately over and around the part, for a length of time, a stream of the gas, and some very extraordinary and satisfactory results by this method have been mentioned in the medical journals.

As the herbs and flowers of the field first formed the materia medica, it was natural that the narcotic properties of certain plants should have been discovered at a very early period; and it was by the administration of some of these that a benumbing, deadening, or intoxicating effect was produced. It is probable that the juices of the poppy, henbane (*hyoscyamus*), mandragora (*atropa mandragora*), deadly nightshade (*belladonna*), Indian hemp (*cannabis Indica*), and other narcotics, were employed at very early dates to produce partial or perfect anæsthesia by being taken into the stomach. The effects, as described by Homer, produced on Ulysses and his companions, by drinking the Egyptian *nepenthe*, are much like those now known to be occasioned by the Indian hemp. They were also used to counteract pain produced by artificial causes, especially that caused by the horri-

ble and lingering death by crucifixion. The draught of vinegar and gall, or myrrh, offered to our Saviour, and which the pious belief of his followers has considered as another insult offered to him by his enemies, or as a last act of kindness and devotion from his friends, has been asserted by high biblical authorities to have been a narcotic mixture of this kind offered to him as it was given to the thieves who were crucified with him. Even 700 years before this time it had been spoken of by the prophet Amos as the "wine of the condemned." In enumeratiug the transgressions of Israel, for which the anger of the Lord has been incurred, he says: "And they lay themselves down upon clothes, laid to pledge by every altar, and they drink the wine of the condemned in the house of their God." *Chap.* ii. 8.

Evidently meaning by this that the people in their demoralized state, were not satisfied with the ordinary means of intoxication used in debauch, but wished to increase or hasten the effect by the addition to their wine of narcotics, and actually drank the narcotized wine which was kept for criminals, and most probably in the temples. The use of the same drugs even in the form of vapor to produce an intoxication by inhalation would seem to have been known, for Herodotus speaks of a habit of the Scythians, who employed for this purpose a vapor in some way made from the hemp-seed.

The bathing of wounded surfaces, or those which were about to be cut, with narcotic lotions, was not only an ancient theory, but had, to a certain extent, been reduced to practice. Pliny, the naturalist, who perished at the destruction of Herculaneum, A. D. 79, curiously enough *perfectly anæsthetized* by the poisonous fumes from the eruption of Vesuvius, bears distinct and decided testimony to this fact: "It has a soporific power," he writes, under the description of the plant mandragora or circenis, "on the faculties of those who drink it. The ordinary potion is half a cup. It is drunk against serpents, and *before cuttings* and *puncturings*, lest they should be felt." (*Bibitur et contra serpentes, et ante sectiones, punctionesque, ne sentiantur.*)

"When he speaks of the plant *eruca*, called by us the rocket, he informs that its seeds, when drank, infused in wine, by crimi-

als, about to undergo the lash, produce a certain callousness, or induration of feeling," (*duritiam quondam contra sensum induere.*)

"Pliny also asserts that the stone Memphitis, as the ancients called a species of marble from Cairo, powdered and applied in a liniment with vinegar, will stupify parts to be cut or cauterized, for it so paralyzes the part that it feels no pain; *nec nentit cruciatum.*"

Dioscorides, the great physician of Cilicia, in Asia, states in his chapter on the mandragora:

"Some boil down the roots in wine to a third part, and preserve the juice thus procured, and give one cyathus of it to *cause the insensibility* (ποιειν αναιδ Ιηδιαν) *of those who are to be cut or cauterized.*

Besides this decoction, he speaks also of a wine made from the bark of this same root, which was to be used for the same purpose. Speaking of another variety of mandragora, called *morion*, he observes, "medical men use it also for those who are to be cut or cauterized."

Dioscorides describes also the stone *memphitis*, mentioned by Pliny, as of the size of a talent, of a greasy nature, and of various colors, and ascribes to it the same virtues and uses. This is, however, probably mere fable, and one among the many thousand superstitious beliefs which are constantly to be found in the medical works of antiquity.

Matthiolus, the commentator on Dioscorides, confirms all his various statements, which are subsequently vouched for by Dodoneus, who states that, "wine, in which the roots of mandragora have been steeped, brings on sleep, and appeases all pains; so that it is given to those who are to be cut, sawed, or burned in any parts of their body, that they may not perceive pain."

Apuleius, of Madaura, who lived about a century later than Pliny, writes: "If any one is to have a member mutilated, burned, or sawed, (*mutilandum comburendum, vel serrandum,*) let him drink half an ounce with wine, and *let him sleep till the member is cut away, without any pain or sensation,* (*et tantum dormiet, quous que abscindatur membrum aliquo sine dolore et sensu.*"

The Chinese, who seem to have the credit, if they have not, in fact, anticipated the Europeans in many useful inventions, as well as in the science of medicine, claim to have used from remote ages medicaments to paralyze the nervous system, and prevent pain in surgical operations. Indeed, the effects are described in a work on the pharmacopæia and medicine, which belongs to the Bibliotéque Impérial, at Paris, some of which has been lately translated, and read before the Academy of Sciences. This work, entitled *Kou-kin-i-tong*, or, General Collection of Ancient and Modern Medicine, has prefixed to it, biographical sketches of several hundred of the most distinguished physicians of China. Under the biographical notice of *Hoatho*, who flourished under the dynasty of *Wei*—that is, between the years 220 and 230 of our era—occurs the following passage:

"But if the disease resided in parts upon which the needle, the *moxa*, or liquid medicaments, could not operate—for example, in the bones, or the marrow of the bones, in the stomach, or the intestines—he gave the patient a preparation of hemp (in the Chinese, *ma-yo*), and after a few moments he became as insensible as if he had been drunk or dead. Then, as the case required, he performed operations, incisions, or amputations, and removed the cause of the malady; then, he brought together and secured the tissues, and applied liniments. After a certain number of days, the patient recovered, *without having experienced, during the operation, the slightest pain.*"

This *ma-yo* employed by *Hoatho*, also called *Hans*, *mafo-san*, or hemp-essence powder, the same drug as mentioned by Herodotus twenty-three centuries ago, is the *cannabis indica*, the *haschisch* or *hasheesh* of the East, now much cultivated and used there, for the preparation of *Bhang*, the intoxicating effects of which, and the terrible results of its use have been so often described. "This," wrote Sir Joseph Banks, about the commencement of this century, "is prepared, and, I believe, used in all parts of the East, from Morocco to China. In Barbary, it is always taken, if it can be procured, by criminals condemned to suffer amputation; and it is said to enable those miserables to bear the rough operations of an unfeeling executioner, more

than we Europeans can the keen knife of our most skillful surgeons."

According to the narrative of *Marco Polo*, and the testimony of William of Tyre, and other chroniclers of the crusades, the knowledge of the effects of these drugs was applied for exciting religious excitement and fanaticism among the ignorant and superstitious denizens of the East. The old man of the mountain, so zealous in his opposition to the expeditions for the recovery of the holy sepulchre, was in the habit of drugging the youths whose energy and boldness seemed to fit them for his purposes, with some preparation, and after they were fully under the influence of the agent, of conveying them to his castle, situated on the summit of one of the mountains of Syria. There, when the intoxication had passed away, they were surrounded by every excitement and pleasure which could act upon the senses—by beautiful gardens and fountains—by the most delicious music, and the finest dancers. The most delectable food was offered them, while the choicest wines, poured for them by the loveliest beauties from Circassia, were freely given. This place they were informed was Paradise, the abode of the blessed—the repose after death of those who should devote themselves in life to the service of Allah and his Prophet Mahomet. When the crafty old man saw that his dupes were sufficiently impressed with the fascinations and delirium of the scene, they were again drugged with the same preparation, and conveyed back to their domiciles. Is it to be wondered at that for the future they should become submissive and zealous agents for a faith which promised such an elysium to its disciples? They were then enrolled in a band under the leadership of the old man as chief, to whom the most perfect obedience was enjoined. Whenever any chief or man had become obnoxious, one of these apostles was directed to slay him; this he at once, without hesitation, either secretly or, if necessary, openly, accomplished, happy, if he survived the attempt, that he had been found worthy of the confidence reposed in him; and glorying, if his life was the forfeit, that he was gaining admission by its gift to the much desired Paradise.

Many were the attempts made by neighboring powers to sur-

prise and subdue this indomitable tyrant; but owing to his vigilance, and the devoted courage of his followers, this could not be accomplished. The Sultan of the Selkjicks, during one of his crusades for his subjugation, dispatched an envoy to demand his instant submission. But to all demands the old man at first made no reply, until at length, turning to two of his followers, he commanded one to stab himself, and the other to throw himself from the tower upon which they were then standing. These two, with the recollections of the Paradise into which they were to enter fresh in their minds, instantly complied with the orders. Then the old man, turning to the astonished envoy, said, "Take what thou hast seen for thy answer; I am obeyed by seventy thousand such men as these."

The intoxicating agent furnished them was probably Bhang, or, in Arabic, *Hasheesh*, and from this word the drinker was called "haschischim," which was corrupted by the languages of the crusaders into *assassin*, a word which has ever since been applied to those who practiced their murderous employment.

"The Orientals make a deplorable use of the preparations of Indian hemp, which they smoke under the name of kiff, haschich, or tekhouri. Sometimes they fry the leaves in fat, butter, or honey, so as to extract the active resinous portion; this preparation, termed maadjaun or tomowese, they eat. The Algerine Moors, besides using Indian hemp in the ways described above, sometimes add to it opium or tobacco for smoking; sometimes they eat it mixed with fat, sesame, cloves, canella, or ginger; and, when insensible to its effects from long use, they add nux vomica, and thus for a time succeed in procuring a state of stimulation which soon ends in insanity. More than one-half of the natives received provisionally into the insane wards of the civil hospital in Algiers, have been smokers of haschich or eaters of maadjaun: and scarcely one of them is ever found to recover."*

But the employment of drugs, was not entirely confined to this abuse at this time. Theodoric, who died in 1298, order-

* "Journal de Medècine et de Chirurgie Pratique," and "Medico-Chirurgical Review," 1858.

ed the inhalation of an anodyne vapor, to prevent pain, by means of a "spongia somnifera" (or sleeping ball) as it is called in the rubric. Hugo, of Lucca, who was the teacher of Theodoric and had often used it, thus describes its preparation: "Take of opium and the juice of unripe mulberry, of hyoscyamus, of the juice of the hemlock, of the juice of the leaves of the mandragora, of the juice of the woody ivy, of the juice of the forest mulberry, of the seeds of lettuce, of the seed of the burdock, which has large and round apples, and of the water-hemlock, each one ounce; mix the whole of these together in a brazen vessel, and then in it place a new sponge, and let the whole boil, and as long as the sun on the dog-days, till it (the sponge) consumes it all, and let it be boiled away in it. As often as there is need of it, place this same sponge into warm water for one hour, and let it be applied to the nostrils till he who is to be operated on (*qui incidendus est*) has fallen asleep; and in this state let the operation be performed, (*et sic fiat chirugia.*) When this is finished, in order to rouse him, place another dipped in vinegar, frequently to his nose, or let the juice of the roots of fenigreek, be squirted into his nostrils. Presently he awakens."

M. Dauriol, a French physician, residing in the neighborhood of Toulouse, asserts that in 1832, he followed the directions given by Theodoric, and operated several times with success. He even reports five cases of painless operations.*

According to the statements of many writers, during the 14th, 15th, and 16th centuries, it was the custom to give criminals about to undergo the torture, a compound which deadened their sensibility. This is borne witness to by Nicholas Eymerie, Grand Inquisitor of Aragon.

This was also the opinion of Pegna, who commentated the work of Eymerie in 1578, who attributed it to sorcery.† In 1524 Hippolitus, Professor of Jurisprudence, at Bologna, wrote in his *Criminal Practice*, that he had seen accused persons, as it

* Journal de Medècine et de Chirurgie de Toulouse, Janvier, 1847.

† Directorium Inquisitorum. Rome et Venez, 1578-1597. Part III. p. 481.

were, asleep, under the most cruel tortures; and in such a stupor as resembles the action of narcotic medicines. This result is regretted by Tabouneau, a contemporary of Pegna, who complained that it had become almost useless to apply the torture, for the means of stupefaction being known to every jailor, they seldom fail to impart the benefit of their secret to the wretches, put to the question.

Although at this time the means of deadening sensibility by drugs, were so well known to the criminals and their jailors, it does not appear that their use to relieve pain during operations, was by any means common. It is probable the deadly results which must have often ensued from their use, the long-continued depression which they exert upon the nervous system, the confirmed stupor, and the congestions and other accidents which are so liable to follow, all conspired to prevent their use, or even examination by the surgeons.

Guy de Chauliac,* or Chaulieu, and Brunus, are the only ones during this period who refer in their medical works to agents to relieve pain. But as especial reference is made by them to their bad effects, and the danger of producing asphyxia, congestions, and death, it is probable that they were seldom, and most unsuccessfully employed.

J. Canape, or Canappe, physician to Francis I., wrote a work,† in which he speaks of the procedure of Theodoric and others, and thus refers to the dangers of the internal administration of narcotics: "*Les autres donnent opium à boire*, et font mal, spécialement s'il est jeune, et l'aperçoivent; car cest avec une grande bataille de vertu animale et naturelle. J'ai ouï qu'ils encourent manie, et par consequent, la mort."

The celebrated French surgeon, Ambrose Pare, toward the close of the same century, mentions, that a decoction of mandragora, "to avert the pain attendant upon the amputation of a limb," was "formerly used." In 1579, an English author, Bulleyn, stated, that it was possible to put a patient into an anæs-

* Inventarium sive collectorium partis chirurgicalis medicinæ. 1498.

† Le Guidon pour les Barbiers et les Chirurgiens. Lyons, 1538.

thetic state during the operation of lithotomy, but speaks of the sleep produced as "a trance, or a deepe terrible dreame."

Many of the older authors affected a secrecy and mystery as regards these preparations. Baptista Porta,* describes a "*pomum somnificum*," (a sleeping apple,) "the smelling of which, binds the eyes with a deep sleep." He states that there can be extracted from plants, "a quintessence, which must be kept in leaden vessels, very closely stopped, that it may not have the least vent lest it fly out. When you would use it, uncover it, and hold it to a sleeping man's nostrils, whose breath will suck up this subtile essence, which will so besiege the castle of his senses, that he will be overwhelmed with a most profound sleep, not to be shook off without much labor. After sleep, no heaviness will remain in his head, nor any suspicion of art. These things," he adds, "are manifest to a wise physician; to a wicked one, obscure."

Meisner, gives in detail, an account of a secret remedy given toward the close of the 17th century, by Weiss, to Augustus II., king of Poland, which produced such a perfect state of anæsthesin, that the king's diseased foot was amputated without his feeling it. Indeed, the operation was performed without the royal patient's consent, and was not discovered by him until the following morning.

A general belief existed during the whole of this period, which was interwoven in many romances and dramas, that there were certain drugs which could produce a profound and temporary sleep. In the history of Taliesin, (an ancient Welsh tale, contained in the Mabinogion,) it is narrated, that Rhun mixed a powder with the drink of the wife of Elphin, which threw her into so deep a sleep, that one of her fingers was cut off without her cognizance.

In the Arabian Nights' Entertainment frequent reference is made to this power as a means of accounting for many of the peculiar situations in which the heroes and heroines found themselves. Thus the Caliph Haroun Alraschid, wishing to play a

* Magiæ Naturalis, 1589.

practical joke on Abou Hassan, "slyly threw into his cup a little powder which he had with him, and poured upon it the remainder of the bottle; Abou Hassan took the cup and swallowed the whole at a breath. But scarcely had he put the cup on the table, when the powder began to take effect. He instantly dropped so fast asleep, and his head dropped almost upon his knees so suddenly, that the caliph could not help laughing." Again, in "Ganem, the slave of Love," it is told that the sleep produced on the female locked up in the chest, continued as long as a piece of narcotic drug was held in her mouth.

Shakespeare alludes more than once to the same thing—for instance, in Romeo and Juliet:

> * * "This distilled liquor drink thou off:
> When presently through all thy veins shall run
> A cold and drowsy humor, which shall seize
> Each vital spirit; for no pulse shall keep
> His natural progress, but surcease to beat;
> No warmth, no breath, shall testify thou liv'st;
> The roses in thy lips and cheeks shall fade
> To paly ashes; thy eyes' windows fall
> Like death, when he shuts up the day of life;
> Each part, deprived of supple government,
> Shall stiff, and stark, and cold, appear like death;
> And in this borrowed likeness of shrunk death
> Thou shalt remain full two-and-forty hours."

And again in Cymbeline—Act 1st, Scene 6th—occur the lines which have been quoted upon the title-page of this work.

But perhaps the most curious reference occurs in the tragedy of "Women Beware Women," written by Middleton, and published in 1657, who alludes in the following terms to anæsthesia in surgery:

> "I'll imitate the pities of old surgeons
> To this lost limb, who, ere they show their art,
> *Cast one asleep; then cut the diseased part.*"

Of all the narcotics which have been employed to relieve pain, opium (which Van Helmont calls the "*specific gift of the Creator*") and its various preparations has been the longest time in vogue,

and with by far the most certain and satisfactory results. Theodoric and Guy de Chauliac gave it internally, and many other surgeons have constantly since advocated its use. Up to the time of the discovery of etherization it was in reality the only means relied upon to deaden the anguish of an operation; it was the custom to administer a large dose, but one varied according to the age, to the patient a short time previous to the commencement of the operation; and, if grave, it was never begun until the effects manifested themselves. Although the effect was never pushed to the state of stupefaction, and consequently a great degree of pain could be felt, it could never be looked upon as a reliable or safe agent. The uncertainty of the time or power of its action; the delirious excitement which it often occasioned instead of insensibility; its really poisonous properties, and the subsequent troubles which it rendered liable—all conspired to render its use as seldom as possible, and then only for extreme cases.

But it was not alone by the action of narcotics that surgeons endeavored to produce a state of anæsthesia; but many other means were also tried.

At the battle of Eylau, Baron Larrey noticed a wonderful lack of sensitiveness in the wounded and those operated on owing to the intense cold; and it was suggested that this same means might be put to some useful end. Within the last few years a measure practiced by Dr. Arnott, of London, of producing a *local* anæsthesia, has grown out of these hints. His plan consists in absolutely freezing the part by a mixture of ice and salt in a muslin bag, laid directly upon the flesh; and I have seen many operations performed in this way with some success, but the disadvantages are too great to be easily counteracted.

Haller, Deneux, and Blandin, narrate cases of patients operated upon under the influence of alcoholic intoxication. Van Swieten, Juvet, and Teden, advised long-continued mechanical compression. In 1784, Dr. Moore attempted to produce a local anæsthesia by compressing and obtunding the nerves previous to the operation—a measure suggested before by Ambrose Paré; but the serious inconveniences of such a measure need not be

enumerated. Some authorities in the 16th and 17th centuries even went so far as to seriously propose as a means of producing insensibility, to compress the vessels of the neck as in our modern method of "garotting." While others recommended that a faintness should be induced by an excessive and rapid bleeding.

In 1776, Mesmer arrived in Paris, and at once began to expound and practice that curious phenomenon of which he was the author. Animal Magnetism, or *Mesmerism*, so called, seemed, by the absolute power which it gave one person over another, the perfect state of insensibility to pain and all external objects which it caused, to solve the question as to whether any means of deadening sensation without danger would ever be discovered. It would be too long a task to enumerate the means by which this state was occasioned, or the many cases in which it was employed. But in the hospitals of France and England, and also in the private practice of many of the most distinguished surgeons, trials were made, the published reports of which show a wonderful degree of success; many severe operations actually having been performed upon patients who were thrown into this state, without their apparently feeling in the slightest degree the pain of the procedure. During a residence at Calcutta by the writer of this book in the year 1849, he paid a visit to the public hospitals of the city, where some experiments with animal magnetism were then being made. The trials of the power made there were even carried so far as to have the patients thrown into the insensible state by their merely drinking water which had been magnetized, and which was given them to drink before the operation without their being aware of its character. Some certainly very remarkable results were witnessed; patients were operated upon without their evidencing pain, who, it was averred, were acted upon by no agent but mesmerism. But the effects were by no means certain or uniform; some were not affected at all, or were affected in a different manner from what was intended.

If, however, there is "something in it," the reason is plain why its use could never be introduced into surgical practice. It requires a long time and many continued attempts before the pa-

tient can be thrown into a perfect state of general or local insensibility. But few persons are in any degree sensible to the influence, while the real subject who can be thrown into the state of trance, is as rare as a white blackbird. The peculiar sensitive, nervous organization which is demanded in the medium is one rarely met with in a surgical hospital, that is, in one where injuries from accidents are generally received. The class of persons who are the most exposed to injuries being that which is strengthened and fortified by labor and good health against a very acutely nervous organization.

In the year 1828, M. Girardin read a letter before the Academy of Medicine, addressed to his majesty Charles X., by Mr. Hickman, of London, in which he asserted that he could, by introducing certain gases into the lungs of the patient, perform the most painful and dangerous operations without his feeling it in the slightest degree. The proposition of Mr. Hickman met with little or no favor in France; and even in England all the experiments made by him were attended with very poor success. The gas used by him is supposed to have been diluted or otherwise prepared carbonic acid gas; but nothing is known certainly or definitely upon the subject.

In 1799, Sir Humphrey Davy, then simply an assistant in the "Pneumatic institution," or, private hospital of Dr. Beddoes, established for the treatment of diseases by the inhalation of various vapors or gases, commenced experimenting with nitrous oxide gas. The same year he published an account of his researches and experiments,* made on himself, in which he describes the exhilarating and intoxicating effect which it produces; and also the use which he made of it for relieving the pain of tooth-ache and head-ache. He does not seem to have pushed it to the full extent of insensibility, as he was always conscious of his own sensations, but he carried it sufficiently far to be perfectly intoxicated and delirious.

The reports of his experiments induced many to follow them, and his certificate of the safety and curious effects of the gas,

* Researches on nitrous oxide.

induced its use all over the world, both for purposes of amusement, and as an exhibition at lectures on the effects of breathing other vapors than pure air.

On the 556th page of the work of Sir Humphrey Davy, occurs the following passage: "As *nitrous oxide*, in its extensive operation, appears capable of destroying physical pain, it may probably be used with advantage during surgical operations, in which no great effusion of blood takes place." It was probably the perusal of this paragraph which induced Horace Wells to make his experiments with the gas, for relieving the pain of operations; that is, he reduced to practice and actual experiment what had been suggested nearly fifty years before. If the use of the gas had proved safe and effectual, and it had been found, that a true anæsthetic state could be produced by it, Horace Wells would still have been entitled to all the credit of having been the discoverer of anæsthesia, notwithstanding this previous hint, as it is plain, that at the time of his death, Sir Humphrey Davy was not certain that what he had suggested would prove true, and had not experimented enough, or advanced in them sufficiently far to corroborate even what he suspected.

It will thus be seen, that of all the remedies used, and means tried, none had proved complete or effectual on all occasions, or even in a degree safe. Discouragement, and a disbelief in any method of relieving pain followed, which surgeons made no hesitation in declaring. For instance, M. Velpeau, in 1839, wrote: "To escape pain in surgical operations, is a chimera which we are not permitted to look for in our day. A cutting instrument and pain, in operative medicine, are two words which never present themselves, the one without the other, in the mind of patients, and it is necessary for us surgeons to admit their association." * Although the strong inducements existed, no real and practical advance from this state was made, until the great discovery of the powers of sulphuric ether. This agent had been known since the 13th century, when reference was made to it by Raymond Lully. But it has been supposed, that certain ambigu-

* Traité de médicine opératoire.

ous passages which occur in much older authors can be explained, if it is supposed that they were also conversant with its use as a medicine. In 1540, Valerius Cordus, spoke of it under the name of "oleum vitrioli dulce." But its first mention under the name of ether, was by M. Godfrey, in the transactions of the Royal Society of London, in 1730, who states, that it was discovered by Frobenius. Reference is made to the works of his former master, Bayle, and also to those of Sir Isaac Newton, who calls it "spiritus vini ætheris."

Its uses as a medicine, were perfectly well known, during the whole of the last century, and were constantly referred to by medical writers. But its application for purposes of inhalation was first publicly mentioned in a pamphlet, published in 1795, by Richard Pearson. Several other communications from the same hand, are to be found in a work by Dr. Beddoes, on factitious airs, published at Bristol, England, in 1796. In the same work will also be found a letter, written by a patient, giving an account of the use of ether, by the advice of a Dr. Thornton, for a pectoral catarrh, which says, "it gives almost immediate relief, both to the oppression *and pain* in the chest." On the second trial, he inhaled two spoonfuls, with "immediate relief as before, and I very soon after *fell asleep*."

In 1805, Dr. John C. Warren, of Boston, used ethereal inhalation, as a means of relieving the last stages of pulmonary inflammation. In 1815, Nysten, in the Dictionary of Medical Sciences, spoke of ethereal inhalation, as being familiarly known for *mitigating pains* in colic; and in 1816, he described an instrument for its use.

Indeed, for the past fifty years, nearly all authors recommend inhalation, for asthma, bronchitis, and many other diseases. As early as 1812, the vapor was often inhaled for experiment or diversion, its exhilarating and intoxicating effects being perfectly well known; and probably hundreds throughout the country can recollect having witnessed its administration, or have inhaled it themselves.

But after the discovery of the safety and efficacy of the inhalation of the ether for the relief of pain, it was wonderful what

a number, either had previously discovered it themselves, or were well aware of its effects. In addition to Dr. Charles T. Jackson of Boston and Dr. Horace Wells of Hartford, Connecticut, many others, in various parts of the world, arose and advanced their claims.

In the autumn of 1844, Dr. E. E. Marcy, of Hartford, Connecticut, as appears from his own affidavit, and that of F. C. Goodrich, made in 1846, suggested the substitution of ether for nitrous oxide gas, and even, as he states, administered the vapor of rectified sulphuric ether to a young man, and "removed an encysted tumor, an operation entirely unattended with pain."

A Dr. R. H. Collyer, of Jersey, England, asserted that, in 1843, he had suggested and caused "an unconscious state, by the inhalation of narcotic or stimulating vapors," and in a communication to the London Lancet, of the date of January, 1847, he even has the generosity and public spirit "to offer to all who may choose to use it, *the process of inhalation for the production of unconsciousness, so that surgical operations can be performed without pain to the patient.*"

In other parts of England, and also in France, several other of these *post-facto* claimants arose; but as beyond the printed statement of their assertion of priority, nothing was ever done to establish or advance the claim, it is not necessary to consider them at all, but to rank them in what the editor of the Lancet justly called "the large class of jump-up-behinders."*

Since the establishment of the heretofore unknown uses of sulphuric ether many other substances have been discovered, or suggested as its substitute. Of these, the one which has found

* In the London Lancet of the date of February 13th, 1847, is the report of an operation by J. Gorringe, Esq., M. R. C. S. L., in which occurs the following passage: "Remembering that while an apprentice at the University College Hospital, I had, on several occasions, inhaled sulphuric ether from a common bladder, until marked intoxicating effects were produced (indeed it used to be a great source of fun with us); and in the chemical lecture-room of the College, I had, a distinct remembrance of *two cases of insensibility* being produced by the inhalation of ether from a bladder —the students falling flat upon their backs; this was in the session of '38–'39— while others were merely intensely excited."

the most favor, and is at this moment the most extensively used, is chloroform. This substance, which differs essentially from ether in its appearance, taste, and smell, was discovered in the year 1831 nearly at the same time by Mr. Samuel Guthrie, of Sackett's Harbor, New-York, M. Soubeiran, in France, and Professor Liebig, in Germany; but its use for the same purpose as ether, was first suggested by Dr. J. Y. Simpson, the eminent physician of Edinburg, in 1847. It is a dense, limpid, colorless liquid, readily evaporating and possessing an agreeable, fragrant, fruit-like odor, and a saccharine pleasant taste. The advantages claimed, for it over ether, are the smallness of the dose required, a more perfect action, less depression when the heart or lungs are diseased, a more rapid effect, less disgust to the patient during inhalation, absence of persistent odor, and, lastly, that it is cheaper. But it has the serious objection that it is much more dangerous. The following table of the relative advantages and disadvantages of the two agents, by Dr. H. J. Bigelow, of Boston, very fairly estimates them:

	Conveniences.	*Inconveniences.*	*Dangers.*
Ether.		Pervading Smell.	Little.
Chloroform.	More portable and less of it answers the purpose.	Blisters skin unless the face is thoroughly oiled.	It kills people.

I have no hesitation in asserting, that I think no death has yet occurred which can be distinctly and decidedly traced to the action of sulphuric ether, while a large number have been occasioned by chloroform. Dr. Hayward, of Boston, as long ago as 1854, had collected proofs of between 50 and 100, which were directly caused by the inhalation of chloroform.

M. Malgaigne, in his report on chloroform to the Academy of Medicine, at Paris, thus strongly expresses his belief: "Chloroform possesses a toxic action, peculiar to itself, which has been taken advantage of in medicine, by arresting it at the period of insensibility; which action however may, by being too much prolonged, cause death." Chloric ether, which was proposed and used by Dr. J. C. Warren, as a substitute, is simply a diluted chloroform, and is open to the same objections, but in a less degree.

The other substances which have been employed to produce anæsthesia, in addition to those before mentioned, are the other ethers, viz.: the nitric, acetic, &c., aldehyde olefiant gas, naphtha, carburetted hydrogen, Dutch liquid, benzoin, vapor of iodoform, and, latterly, a substance called *amylene*, or the "hydride of amyle," the anæsthetic properties of which were first discovered in November, 1856, by Dr. Snow, of London. It has the reputation of being the lightest fluid known, and, consequently, seems particularly applicable to this use, but it has not, as yet, come extensively enough into use to be fully judged.

To the introduction of anæsthetics, medicine, surgery, and midwifery, owe much—not alone for the freedom from that sight of suffering which formerly so unmanned the surgeon, but from real and practical advantages which the action of the agent itself produces. Many new operations have been introduced, and old ones modified, since the discovery, all of which tend to the safety or more perfect sanitary restoration of the patient. No operation now need be hurried to its completion. Every detail required can be performed as leisurely and quietly as if the body in the surgeon's hands were a log, and not a living and breathing particle of humanity. The sickly, feeble woman now need have no fears of the gravest operations, or look forward with apprehension and dread to that period of suffering when she is called upon to answer to the name of mother. Great agony and long-continued pain are banished from all those now upon the earth, and our children, and children's children, in their happy ignorance of great suffering, as they hear told and read the accounts of the agony and suffering of their ancestors, will marvel at their powers of endurance, and bless the donor of etherization, who has spared them a repetition of the same tortures.

But, as there is a bane for every antidote, crime has also taken advantage of the benefits conferred by the discovery, and turning the powers of ether from their only proper use, has employed them for its own wicked and selfish ends. We quote the following from the New-York Daily *Times*:—

"The burglar avails himself of all the discoveries of science which can be rendered serviceable in his profession. The inven-

tion of chloroform may be called, with entire propriety, the burglar's best friend. By the use of that anæsthetic agent some very remarkable burglaries have recently been perpetrated which are calculated to excite the greatest alarm. The burglar forces his way into a mansion when all its inmates are wrapped in profound slumber, and applying chloroform to them, he has the house all to himself. While they are under the stupifying influences of the subtile poison, he rifles the closets, leisurely opens bureaus, cabinets and safes, rips up the carpets from the floors even, selects the most valuable articles of clothing, picks out the real plate from the German silver, ties up all the little family heirlooms and jewels in a shawl, crams the children's silver cups into his pockets, and walks off, unmolested, with spoil, leaving, sometimes, a facetious note behind, addressed to the head of the family."

Various theories were at that time, and have since been formed to explain the action of the ether, and the condition of insensibility which it produces. The most common and best accredited opinion is, that it is a complete intoxication, as when produced by narcotics or alcoholic liquors. But that owing to the volatile and evanescent character of the ether, its effects are much more transitory and quickly produced. Moreover from being inhaled into the lungs, it is brought into a much more favorable condition for a quick action than when taken into the stomach.

A local and less marked effect can be produced by it when applied to the surface of the body, especially to the mucous membranes, as was mentioned when it was applied to the jaw of Miss Parrott, which was the seed from which the whole discovery took its origin; but this is so feeble and slow in being produced, that it is never made use of. The same effect, but in a more decisive and quicker ratio, is produced when given in substance by the mouth; but, although from the stomach it is absorbed, and *intoxicates* much more rapidly than alcohol, it is too slow in acting, and its effects are too lasting to be in that way conveniently employed.

But taken in the form of vapor into the lungs, it is brought

at once into combination with the blood collected for purification in those reservoirs, and is at once distributed through the myriad of arterial ramifications to the brain and every part of the nervous system.

The eminent Dr. John C. Warren stated as his opinion, "that the insensibility arose from the brain and spinal marrow being supplied with unoxygenated blood, which does not nourish it, nor support its natural functions." In his treatise on Etherization, he says, "on the whole, the opinion that the effect is produced through the blood-vessels, is the most satisfactory."

Dr. Geo. Hayward, his associate in the medical college, expressed similar sentiments, affirming that the most powerful effect is "upon the brain and nervous system."

Taken from the lungs into the blood for distribution, it is from the same place exhaled when the administration is discontinued, by the return of the blood to the same source for oxygenation. Less time is usually required to so far free the blood from its influence, that consciousness can be restored, than is demanded for producing the anæsthesia. But although this process of *dilution* in the body takes place so rapidly, much more time is required to entirely free the system from a slight presence of the agent itself; as, in even the short time required, the ether becomes thoroughly incorporated with the blood and other tissues. This is why the odor of the ether is for so long a time perceptible after its effects have entirely disappeared, and is apparent in the breath. And limbs amputated from persons in the anæsthetic state, and wrapped up and laid away, will often have a persistent and strong odor of ether from the blood-vessels, for many days after their separation from the body.

CHAPTER VII.

HIS FIRST OPERATIONS AT THE HOSPITAL.

"Oh! thou beautiful
And unimaginable *Ether*."—*Byron.*

THE day after the successful experiment before related, Dr. Morton held a consultation with his friend and assistant, Dr. Hayden, to decide on the most proper and judicious course to be pursued, in order to bring his discovery to the favorable notice of the public, and the medical profession. As endorsements of its safety and efficacy would be needed from some well-known and scientific persons, and as the agent was to be employed for the benefit of the public, it was ultimately agreed upon by them, that some further and more impressive experiments should be made at the hands of some surgeon, and in the presence of whoever might desire to witness the exhibition. The Massachusetts General Hospital at once occurred to them as the most fitting place, and its staff of eminent surgeons as the most trustworthy and unbiased persons to pronounce upon it.

In order to procure permission to have the trial made, Morton made up his mind to call at once upon Dr. John C. Warren, the senior surgeon, and without detailing to him more than would be sufficient to attract his attention, and show what had already been accomplished, to solicit his interest in the discovery, and an opportunity to employ it in some grave case which should be at the hospital, and under Dr. Warren's own immediate supervision. But before calling upon Dr. Warren, Morton took the precaution of visiting his patient, Mr. Frost, and found him per-

fectly well and enraptured with the novelty and successful result of the experiment.

On the 4th or 5th of October, Dr. Morton made his call upon Dr. Warren. His sensations on his way to the house can be better imagined than described. In addition to the awe, not to say fear, which alone the presence of Dr. Warren was calculated to inspire, was the thought that he was about to stake before these severe judges his reputation, even his credit for possession of common sense, upon a public trial of an agent which only the few experiments he had made had convinced of its safety and utility. Suppose that on this momentous occasion, and when, if ever, he should feel certain of its action, the agent should fail in its effects, would the sneers and laughter which greeted him from his fellow-students at his former public trial, bear a comparison to the present demonstration? Or suppose that some unpleasant or fatal result should at the time or afterward happen, and he there, in his impudence and hardihood, to recommend its use, where could he look for a place far enough from his fellow-man to hide his confusion and shame?

On arriving at Dr. Warren's house, he found him at home, and, what did much toward placing him at his ease, was received by him most kindly. The case was soon stated, and the request made, which was listened to by Dr. Warren with the deepest attention. He said that he had long wished for something of the kind, that he had experimented with this object in view, but had gained but unsatisfactory and indefinite results; that he was fully conscious of the magnitude of the requirement, and would do all in his power to further the wish of Dr. Morton.

A short time after this interview the following note was received:

"DEAR SIR: I write at the request of Dr. J. C. Warren, to invite you to be present on Friday morning at 10 o'clock, at the hospital, to administer to a patient who is then to be operated upon the preparation which you have invented to diminish the sensibility to pain.

"Yours, respectfully,

"C. F. HEYWOOD,

"*House Surgeon to the General Hospital, October 14th,* 1846.

"DR. MORTON, *Tremont Row.*"

As the time drew near for his experiment at the hospital, Morton became exceedingly anxious, and devoted himself, night and day, to the perfection of his apparatus, and to a still more complete investigation of the subject.

Among others whom he conferred with at this time, was Dr. A. A. Gould,* who gave it his earnest attention, and devoted himself to making sketches of apparatus, and in experimenting and suggesting antidotes for its unfavorable effects; and in still further extending to Morton the knowledge of the literature of the subject. One form of apparatus, which had been agreed upon by him, as possessing advantages over the old one used by Morton, had been ordered of Mr. Chamberlain, the instrument-maker, who had promised to have it finished early on the morning of the trial at the hospital.

But, as the hour drew near, it was found that some last changes were required to finish it; and Morton, becoming nervous and impatient, hurried him on in his work, until at last, fearing lest he should be too late, he seized the instrument directly from his hands, and started in haste for the hospital, almost breathless with apprehension and the celerity of his movements.

He had taken the precaution to request Mr. Frost to accompany him, to conduce in some way to his relief, in case of

* Dr. Augustus A. Gould, a physician of Boston, is widely known, both for his contributions to natural science, and also for his success and zeal in the practice of his profession. As a proof of his scientific attainments, it is merely necessary to state that he was selected to prepare the work on the "Shells collected by the United States Exploring Expedition," which he has done with the discrimination and knowledge which were expected; that he is a member of the American Academy of Arts and Sciences, the American Philosophical Society, the Academy of Natural Sciences of Philadelphia, the Boston Society of Natural History, and others on this continent; with the Imperial Mineralogical Society of St. Petersburgh, and other foreign literary institutions. He is also one of the visiting physicians to the Massachusetts General Hospital. As the success which afterward attended the discovery owes much to his firm advocacy and freely rendered assistance to Dr. Morton, who then resided in his family, this public acknowledgment is no more than justice due.

failure, and act as a voucher as regards his statements of what he had already accomplished. At this moment his mind was in one great whirl of doubts and conflicting emotions. Mixed with the fear that his new and untried instrument might not work, and perhaps render the issue abortive, was his own vague doubt of a successful exhibition.

He had already had sufficient experience in administering the vapor to know that its effects were widely different upon various persons, and he could hardly dare to hope that the case would be as favorable as that of the man who was accompanying him. Suppose the patient should be affected as some had already been at his house, and should scream, or leap into the air, requiring force to keep him in his seat. Would not the surgeons at once feel obliged to interfere, take the patient from his hands, and politely request him to retire? Then, too, there were cases on record of patients, debilitated by disease, dying before the eyes of the operating surgeon; and the question flashed through his mind: "If this experiment should result adversely, shall I not be charged with its fatal issue."

A second unfavorable fact in the case, was his entire ignorance as to what his patient might be: whether some hardened toper, saturated with strong drink, upon whom the preparation might produce no more effect than his ordinary daily "nipper," or some delicate and timid female, who would tremble and be overcome at the very thought of being experimented upon.

Luckily for Morton was it that he arrived at the precise moment at which he did. For "previous to the operation, Dr. Warren, having waited ten or fifteen minutes, again turned to those present, and said: 'As Dr. Morton has not arrived, I presume he is otherwise engaged;' apparently conveying the idea that Dr. Morton did not intend to appear. The remark of Dr. Warren brought out a great laugh. Dr. Warren then sat down to his patient. Just as he raised his knife Dr. Morton appeared."*

The first glance of Dr. Morton, on entering the side-door of

* Testimony of Dr. A. A. Gould.

the amphitheatre, was upon his patient, whom he found to be a thin, spare man, of apparently 25 years of age, suffering from a tumor on the jaw, composed of a knot of enlarged and tortuous veins; the next was upon the faces of the expectant crowd. But here was no pleasant or assuring picture; each betokened either common curiosity or plain incredulity.

From the confused state which his novel position had thrown him into, he was suddenly recalled by the clear, abrupt tones of Dr. Warren, who turning first to the patient and then to himself, said, "Well, sir! your patient is ready."

With a slight apology for having detained him, and a statement of his excuse that he had been compelled to wait for the completion of his instrument, Dr. Morton stepped to the bedside of the patient. Taking the man by the hand he spoke a few encouraging words to him, assuring him that he would partially relieve, if he did not entirely prevent all pain during the operation, and pointing to Mr. Frost, told him there was a man who had taken it and could testify to its success. "Are you afraid?" he asked. "No!" replied the man; "I feel confident, and will do precisely as you tell me."

Having adjusted his apparatus, he commenced the administration, overwhelmed by a painful sense of responsibility and fear, lest a present failure should bring his long-cherished plan into contempt and perpetual disrepute. Under the first influence of the agent, the man became flushed and exhilarated, but soon its more powerful effects became manifest, and in four or five minutes he lay as quietly and soundly asleep as any child, in that curious state which is—

> "'Twixt gloom and gleam,
> With Death and Life at each extreme."

Even under the absorbing interest of his employment, Dr. Morton had noticed that the confused hum, or scraping of the feet made by the audience in their endeavor to obtain a better view, had been succeeded by the most breathless silence, and as he turned to announce to Dr. Warren that his patient was ready,

he noticed that the looks of incredulity and contempt had given place to an expression of astonishment and settled interest.

As Dr. Warren, seizing the bunch of veins in his hand, made the first incision through the skin, the patient made no sound nor moved one muscle of his body; as the operation progressed, all eyes were riveted on this novel scene in eager expectancy and amazement. The silence of the tomb reigned in the large amphitheatre, and the form of each beholder was as still and immovable as the skeletons and mummies which hung in the cases behind them.

At length the operation was finished, and the blood having been washed from his face, the patient was gradually allowed to come from his anæsthetic state. When fully restored to consciousness and able to answer questions, he gave the triumphant and gratifying intelligence, "I have experienced no pain, but only a sensation like that of scraping the part with a blunt instrument." This arose from the fact that as the operation had taken rather longer than anticipated, Dr. Morton had several times removed the inhaling instrument from his mouth.

With the patient still lying like a log upon the table, Dr. Warren turned to the audience and said slowly and emphatically "Gentlemen! this is no humbug."

This was a proud moment for the hitherto unnoticed dentist—the medical student, previously undistinguished from any of his fellows. Now was the practicability of what he had imagined fully and satisfactorily proved to the world; and as he stood there at that moment, his breast swelling with the honest pride of success, and his brain giddy with reaction from the first excitement, he formed the cynosure of the eyes of men of all ages and conditions, completely forgetful of self in the excitement of the moment. In the front, were grave and dignified men, who, for a better view, had absolutely placed themselves upon their knees on the board floor. On the rows of benches above, were mixed students and men of science, attracted thither by the novelty of the announcement, grouped in every imaginable position, all anxious and breathless as they had been while watching that small group in the centre of the room.

Soon, however, the spell was broken, and crowding around him, they offered him their congratulations, and besieged him with questions. At this operation there were present in the central circle, in addition to the large number among the packed audience, Drs. J. C. Warren, J. Mason Warren, S. D. Townsend, H. J. Bigelow, Samuel Parkman, George Hayward, Dr. Pierson, of Salem, (subsequently killed at the Norwalk accident,) Dr. Gould, and Dr. Wellington, of Cambridge, Dr. Morton's former preceptor.

After arranging with Dr. Hayward, to administer it the next day to a patient upon whom he was to operate, Morton left the hospital, and returned to his own home.*

Thus was this 16th day of October, 1846, made ever memo-

* Report of this first case of ethereal inhalation, copied from the records of the Massachusetts General Hospital. "This case is remarkable in the annals of surgery. It was the first surgical operation performed under the influence of ether. Dr. Warren had been applied to by Dr. Morton, a dentist, with the request that he would try the inhalation of a fluid, which he said he had found to be effectual in preventing pain during operations on the teeth. Dr. Warren, having satisfied himself, that the breathing of the fluid would be harmless, agreed to employ it when an opportunity presented. None occurring in private practice within a day or two, he determined to use it on this patient.

"Before the operation began, some time was lost in waiting for Dr. Morton, and ultimately it was thought he would not appear; at length he arrived, and explained his detention, by informing Dr. Warren, that he had been occupied in preparing his apparatus, which consisted of a tube connected with a glass globe. This apparatus he then proceeded to apply, and after four or five minutes, the patient appeared to be asleep, and the operation was performed as above described. To the surprise of Dr. Warren, and the other gentlemen present, the patient did not shriek or cry out; but during the insulation of the veins, he began to move his limbs and utter extraordinary expressions. These movements seemed to indicate the existence of pain, but after he had recovered his faculties, he said he had experienced none, but only a sensation like that of scraping the part with a blunt instrument, and he ever after continued to say he had not felt any pain. The result of this operation led to the repetition of the use of ether in other cases, and in a few days its success was established, and its use resorted to in every considerable operation in the city of Boston and its vicinity."

rable and glorious, as long as man shall suffer pain. From this small beginning dates the promulgation of that discovery, which has done more than any other for the welfare of the human race. Thanks to the universal spirit of kindness and humanity, which have ever formed the characteristics of the medical profession, the news spread like wild-fire over the length and breadth of the land, across the water to the "remotest isles of the sea," to every place where sickness and death are found, and wherever a pang exists to be relieved.

On the subsequent day, in compliance with the agreement with Dr. Hayward, the ether was administered to a young woman, from whom a large tumor on the arm was to be removed, and with even more success. But after this, to the surprise of Dr. Morton, the practice was discontinued, and for the ensuing three weeks, the patients were all operated upon as before, though numerous operations were daily being performed at his own house.

Being desirous of employing it in a case of amputation, Morton applied to Dr. Hayward, then on duty, for an opportunity, as he had heard that there was then a patient requiring that operation waiting in the hospital. To this request he received the information that the "surgeons of the hospital thought it their duty to decline the use of the preparation until informed what it was." As soon as informed of their decision, Morton despatched the following note to Dr. Warren, the senior surgeon:

"BOSTON, *Nov. 5th*, 1846.

"DEAR SIR:—As it may sometimes be desirable that surgical operations should be performed at the Massachusetts General Hospital under the influence of the preparation employed by me for producing temporary insensibility to pain, you will allow me, through you, to offer to the hospital the free use of it for all the hospital operations. I should be pleased to give to the surgeons of the hospital any information, in addition to what they now possess, which they may think desirable in order to employ it with confidence. I will also instruct such persons as they may select, connected with the hospital, in the mode of employing it. This information, I must request, should be regarded as confidential, as I wish for ample time to make such modifications as experience may suggest in its exhibition. It is also my intention to have persons suitably instructed, who will go wher-

ever desired, for a reasonable compensation, and administer it for private operations: thus enabling any surgeon to employ it in his private practice whenever he may have occasion. I think you will agree with me that this will be wiser until its merits are fuller established, than to put it into the hands of everybody, thereby bringing discredit upon the preparation by its injudicious employment. Should you wish me to administer at any of the operations to-morrow, I shall do so with pleasure; and should the above proposition be deemed worthy of being entertained, I shall be ready to make the arrangement as soon as informed of your wishes.

"W. T. G. MORTON."

"DR. WARREN."

This was on the day when the operation was to be performed. To this the following reply was received:

"DEAR SIR:—I beg leave to acknowledge the reception of your polite letter. I shall lose no time in laying it before the surgeons of the hospital.

"I remain respectfully yours,

"J. C. WARREN."

"PARK-STREET, *November 6th.*'

While still waiting at his own house, in this undecided state, Morton was called upon by Dr. Henry J. Bigelow (now one of the most distinguished surgeons in Boston, and Professor of Surgery at the college), who had been present at the first experiments at his office, and had ever since manifested the kindest interest in him and his discovery, who requested him to accompany him to the hospital.

On their arrival, leaving Morton in the reception-room, Dr. Bigelow repaired to his post as one of the surgeons of the hospital, to discover whether the ether was to be employed or not. From this interview he soon returned, and informed Morton that the surgeons had decided not to use his preparation, their objection being the professional rule as regards the use of secret remedies. He, however, said, by way of encouragement, that he should urge it, by every means in his power, but that no disappointment must be felt in case of failure. Left alone, Morton, no doubt, indulged in some rather bitter reflections on those strict rules of etiquette, which could not be made to yield to the claims of suffering humanity.

After a short time Dr. Bigelow again returned, and requested

Morton to accompany him to the amphitheatre, on the way informing him that on his return to the operating room, he had publicly stated that a letter had been furnished Dr. Warren which would relieve their objections: that on this announcement Dr. Warren had read the letter aloud, and its wording had been made the turning point of their decision.

As soon as Morton had entered the room, and the railed space where the surgeons were standing, he informed them that to prevent any hesitation on their part, and prevent all further embarrassment, the agent employed was simple sulphuric ether, and that after this statement, he hoped that they would permit him to continue his experiments there. To this, no objection was raised, and the operation (for the patient, at that time, was lying ready upon the operating table) was at once begun, and satisfactorily ended.*

Subsequently many other operations were performed without the slightest objections on this score or any other by these surgeons or the public. Dr. Morton continued in charge of the anæsthetical portion of the test-experiments during that year and into the next, published reports of which can be found in all the medical and surgical journals of that period. Many of the experiments of that time present curious and various facts for those particularly interested in this subject, and were of various kinds and degrees of severity but would possess little interest for the general reader.

One only shall I refer to as possessing any singular phases or extraordinary interest, and as showing the marvelous powers of

* By some, especially in Boston, this has been the operation considered as demonstrating the value and practicability of the use of ether, and it has been contended that because it was after the announcement of the substance employed, and because the patient was more thoroughly anæsthetized than in the two previous instances, that it was from this case that the public should date the success of etherization. As to a certain extent this may be true, it may not be uninteresting for the reader to know more of the case. The patient, Alice Mohan, had entered the hospital, March 7th, 1845, for disease of the knee joint; amputation above the knee was performed Nov. 7th, 1846. She was discharged cured, Dec. 22d, 1846. The operation was entirely painless.

the new agent. The case was that of a man at an advanced age, who was afflicted with a paralysis of the lower extremities, owing to a disease of the bones of the spine.

For the relief of this, and to prevent the extension of the disease in the bones, it was decided necessary to cauterize him with the potential cautery the whole length of the back, on each side of the spine. How painful this would be, unless with the sensation benumbed, the slight burn of a finger can give some idea.

He inhaled the ether, and soon was lying in a quiet and easy slumber; then the surgeon taking the irons, heated to a white heat, passed them over his white and tender skin. As the hot iron hissed, and the flesh, blackened by the intensity, shrunk crisply away before it, without one groan or movement from the patient, the enthusiasm of those present knew no bounds, and had it not been for the stillness demanded in the place, and the exigency of the occasion, they would so far have forgotten all propriety as to have broken out into tumultuous applause; nor was this subdued when the patient, on his return to consciousness, declared himself ignorant of the performance of the operation, and informed the bystanders that he had been having a most delightful dream, and had experienced more agreeable seasations than he had felt for many a day.

The government of the Massachusetts General Hospital certainly manifested a liberality of spirit in thus permitting Dr. Morton to submit his discovery to the test of public experiment. Many such discoveries had failed—indeed it is seldom that one has ever thus appeared in the full glory of perfection at the first trial—and to be a party to the introduction of an unknown remedial agent, is contrary to the almost undeviating laws of professional etiquette. Indeed, it is evident that nothing but the personal acquaintance of Dr. Warren and the other surgeons, with Dr. Morton, could have inspired them with sufficient confidence in him to warrant their introduction of his discovery. They did not know *it*, but they knew *him*, and it is clearly evident that his deportment while attending the lectures of the institution, must have impressed them with a conviction that he was not only master of what he so confidently announced, but that he had

that scientific knowledge which was a guarantee that no evil consequences would follow his experiments. The reputation of the institution, or of those gentlemen who sustained that reputation by their professional ability, would not have been perilled by admitting any one who did not enjoy their confidence by possessing scientific and professional claims to their consideration. And they had an endorsing proof of Dr. Morton's claim to their attention, in his personal deportment during the ordeal, thus carried on before those so recently his professors and his fellow-students. Well did one of the officiating surgeons, Dr. Bigelow, remark (in his testimony before the commission) "that new experiments, and many of them, were to be made. Great probable danger was to be encountered, and great responsibility assumed; even to the extent that, had Dr. Morton killed somebody with the new agent, of which Sir Benjamin Brodie, long after, said that 'it had killed Guinea pigs, and that the great question was, whether it was safe,' he would very likely have been indicted for manslaughter, in rashly and ignorantly experimenting with an unknown agent."

CHAPTER VIII.

EXCITEMENT ATTENDING ANNOUNCEMENT.

"The invention all admired, and each how he
To be the inventor missed, so easy it seemed
Once found, which yet unfound most would have thought
Impossible."—*Milton.*

By the operations performed by Dr. Morton at his own rooms, at private houses, and at the public hospital, a profound impression was made upon the public mind. All hailed with joy the perfect success of the ethereal vapor in annihilating pain, its evident safety, and the readiness of recovery from the anæsthetic state, which resembled the waking from a deep and quiet sleep. "The success of the discovery," as Dr. William H. Bissell remarks in his able report, "was established; Boston, its native city, was proud of its maternity, and it was about to be hailed in Europe, whither a power swifter than the winds was wafting it with wonder and applause."

Upon this discovery Dr. Morton had staked everything dear in life, his hopes of fortune and fame. He gave his labor by day and his thoughts by night to the perfecting of all that was incomplete in its application.

The history of his mind while meditating upon the probable issue of his investigations, and carrying them to their final accomplishment, must have been exactly parallel to that of Dr. Jenner while seeking how to avert the evils of small-pox, as narrated by Dr. John Brown. Like Jenner, "it required a mind possessed of all the firmness of purpose which he enjoyed to induce him to persevere in his pursuits." Like Jenner, "he seemed at times to feel that it might, in God's good providence, be his lot

to stand between the living and the dead, and that through him [suffering] might be stayed. On the other side, the dread of disappointment, and the probability of failing to accomplish his purpose, restrained that eagerness which otherwise would have prompted him prematurely to publish the result of his inquiries, and thereby, probably, by conveying insufficient knowledge, blight forever his favorite hope." Like Jenner, he had not been favored with that collegiate education perhaps too often made a requisite for public confidence, and he felt that "should anything untoward turn up in his experiments, he should be made, particularly by his medical brethren, the subject of ridicule—the mark for all to shoot at." Like Jenner, he "encountered numerous difficulties in carrying on the preliminary part of his inquiry;" "but resistance and difficulty only augmented his energy, and he resumed his labors with redoubled zeal." We may imagine that his feelings, while rambling about the pleasant solitudes around his residence at Etheron, were those of Dr. Jenner when meditating in the meadows under the castle at Berkeley. Each "felt the prospect before him of becoming the instrument destined to take away from the world one of its greatest calamities, blended with the fond hope of enjoying independence, with domestic peace and happiness."

The parallel can be continued even after the research of Dr. Morton had been crowned with success; for there are no inventions "which, when made, promised to have such an immediate and extensive influence upon humanity—no discoveries elaborated by the patience, or skill, or science of man, ever calculated to produce such consequences as those which at this period centred in the hearts of Jenner" and of Morton. Each at that particular epoch "had it in his power to impart knowledge, the advantages of which might be rendered as manifest and palpable as they were universal." Each "felt a great struggle within him how to conduct himself." And it can be said of each, that "in this, certainly one of the most trying emergencies that ever occurred in the life of any man, he was enabled to conduct himself with all the prudence, all the generosity and caution, that befitted an individual to whom such high things were committed.

He was not led away by selfish feelings; neither was he elated by pride or vainglory, nor hurried beyond propriety by over-eagerness and zeal."

Even still further can we continue the parallel between Dr. Morton and Dr. Jenner. The friends of the latter, who met him at Rudhall in 1797, were like the surgeons of the Massachusetts General Hospital: "Deeply interested in the investigation, they listened to all the details with jealous ears; they sat in judgment on the work, and did honestly and kindly acquit them of their duty. Their judgment approved, their most benevolent feelings were gratified, and it only remained for them to applaud their friend, who then stood before them in a situation more truly interesting than they could express, and to urge him on his path by encouraging him in his purpose of opening, for the benefit of all, that stream of life and health which he had been permitted to discover.

"It was a special honor to have been associated with Jenner [or Morton] on such an occasion. The mind, in dwelling upon occurrences of this kind, naturally seeks for parallels in the histories of the lives of eminent men in other times. But the situation of Jenner [or Morton] scarcely admits of illustrations of this sort; he seemed to hold in his hand one of the 'gates of death,' and to him it seemed to be given to close it.

"When Columbus, by his judicious study of cosmography, anticipated the discovery of another hemisphere—when Newton beheld the hosts of heaven yielding up the secret of their movements to his patient and sublime researches—when Bacon, in the well-founded reliance on his almost superhuman powers, took a flight over the heads of men, and, with perfect confidence, looked forward to a far-distant age for the blossom and the fruits of that intellectual seed which he had so abundantly scattered—the inward gratification derived from the consciousness that truth and wisdom were to be imparted through them to their fellow-mortals, and that the ultimate result would be felt in beneficial consequences to every class of society, doubtless imparted a joy and satisfaction to their souls of the most gratifying description."

"But if discoveries"—Jenner's biographer goes on to say, and

we can well adopt his conclusion—"if discoveries are to be estimated by their power of ministering to the benefit of man, which, of all those that have most distinguished their authors, can be compared with that of which we are now treating?" Dr. Morton's name will ever stand inscribed in bold relief upon the temple of fame, and suffering humanity will "rise up and call him blessed."

In order to thoroughly fortify the infant Hercules, against the strangling coils of the serpents public doubt and distrust, application was at once made to the surgeons of the hospitals for vouchers of what had been done, who at once kindly and freely furnished the following certificates:—

"I hereby certify, that I have twice seen the administration of Dr. Morton's application for the prevention of pain; that it had a decided effect in preventing the suffering of the patient during the operations, and that no bad consequences resulted.

"J. C. WARREN.

"BOSTON, *October 17th*, 1846."

"On Saturday last, at the hospital, I removed a tumor from the arm of a patient, who had immediately before inhaled something prepared by Dr. Morton, of this city. The operation lasted seven minutes; the patient gave no indication of suffering; she answered me afterward that she did not suffer, nor has she to the present time experienced any inconvenience from the inhalation.

"GEO. HAYWARD.

"BOSTON, *October 20th*, 1846."

"I certify, that I assisted in the administration of Dr. Morton's preparation to two patients, operated upon by Drs. Warren and Hayward, at the Massachusetts General Hospital, on the 16th and 17th of October; that under its influence, both of these individuals submitted to operations lasting from five to ten minutes, without suffering, and that they speedily recovered from its effects.

"C. F. HEYWOOD,

"*House Surgeon, Massachusetts General Hospital.*

"*October 22d*, 1846."

The first professional announcement of this discovery, in addition to several scattered paragraphs which had appeared in the daily papers, and Dr. Morton's circulars, was in the Boston

Medical and Surgical Journal of the 21st of October, which states that "strange stories are told in the papers of a wonderful preparation, in this city, by administering which, a patient is affected just long enough to undergo a surgical operation, without pain."

The next official announcement was an able communication, which appeared on November 18th, from the pen of Dr. Henry J. Bigelow. This had been previously prepared from cases seen at the office of Dr. Morton, together with those at the hospital, and had been read at the Boston Society for Medical Improvement, on November 9th, and also before the American Academy of Arts and Sciences, on November 3d.

The enthusiasm, as regards the new discovery, increased from day to day; notices multiplied in the papers, and as the news was spread, it was received with acclamation, by men of science and high social position; while at the same time it inspired the poor waiting sufferers, at the hospitals and elsewhere, with confidence, hope, and joy.

Even the grave and naturally dispassionate Dr. Warren could not contain his enthusiasm, and indulges in graphic language. He says: "A new era has opened on the operating surgeon. His visitations on the most delicate parts are performed, not only without the agonizing screams he has been accustomed to hear, but sometimes in a state of perfect insensibility, and, occasionally, even with an expression of pleasure on the part of the patient. Who could have imagined that drawing a knife over the delicate skin of the face, might produce a sensation of unmixed delight? That the turning and twisting of instruments in the most sensitive bladder, might be accompanied by a delightful dream? That the contorting of archylosed joints should coexist with a celestial vision? If Ambrose Pare, and Louis, and Dessault, and Cheselden, and Hunter, and Cooper, could see what our eyes daily witness, how would they long to come among us, and perform their exploits once more.

"And with what fresh vigor does the living surgeon, who is ready to resign the scalpel, grasp it, and wish again to go through his career under the new auspices. As philanthropists

we may well rejoice that we have had an agency, however, slight, in conferring on poor suffering humanity so precious a gift. Unrestrained and free as God's own sunshine, it has gone forth to cheer and gladden the earth; it will awaken the gratitude of the present, and of all coming generations. The student, who, from distant lands or in distant ages, may visit this spot, will view it with increased interest, as he remembers that here was first demonstrated one of the most glorious truths of science."

Dr. Oliver Wendel Holmes, who is alike the favorite of science and of the Muses, thus vividly described its beneficent effects, in his introductory lecture, delivered before the medical class at Harvard University, Nov. 3, 1847: "The knife is searching for disease—the pulleys are dragging back dislocated limbs—Nature herself is working out the primal curse which doomed the tenderest of her creatures to the sharpest of her trials, but the fierce extremity of suffering has been steeped in the waters of forgetfulness, and the deepest furrow in the knotted brow of agony has been smoothed forever."

Nor was this rejoicing confined to the city and state of its birth, but soon extended to all parts of the Union; one of the leading journals* of this city (New-York) thus hailed the announcement: "God bless the inventor of this 'last gift to man!' Till yesterday we never sufficiently appreciated its almost miraculous powers. For two long days we have been driven almost to distraction by an aching tooth, whose pain, apparently nothing could alleviate; yesterday, however, we 'screwed our courage to the *pulling* point,' and resolved to test the value of the most wonderful, the most glorious, nay, the most God-like discovery of this or any other age."

Others caught up the joyful cry, and, inspired with the same enthusiasm, its fame, as can be attested by an examination of the newspapers and magazines of that date, was spread far and wide.

Soon the news of its discovery made its way across the Atlantic, and in England, France, and the rest of Europe, produced the same results. In a letter written from Paris to one of the

* Knickerbocker.

journals, the writer states that the "discovery there is regarded as only next to those of Harvey and Jenner."

With the receipt of the verification of the discovery still fresh, the eminent surgeon Liston, naturally so grave and sedate, wrote: "Hurrah! Rejoice! Mesmerism and its professors have met with a heavy blow and great discouragement! An American dentist has used the inhalation of ether to destroy sensation in his operations, and the plan has succeeded in the hands of Warren, Hayward, and others, in Boston. In six months no operation will be performed without this previous preparation. Rejoice!"

"The greatest blessing," writes another, "vouchsafed in these latter days, to those who live on earth, is for the present in the keeping of one class of men and of that alone. The prevention of pain by the inhalation of ether vapor has hitherto been practiced only by those whose business is with the healing art. As yet, this gift from Heaven to all, is held by us of the medical profession in special and exclusive trust. It is time that we acknowledge the Giver. Let not this warrant of mercy pass from us to the world at large without the stamp of worship and thanksgiving.

"It has often been said by the Pharisee that, as a class of men, physicians and surgeons are wanting in the sentiments of love and reverence to Him whose sentence is for life or death. Let us refute this idle and petulant slander while occasion serves, at once and forever. Let the chaplain of every hospital, in which these wonders have been witnessed, be invited by the medical officers of the establishment to offer up their humble and hearty thanks for the late mercies vouchsafed to the patients under their charge. Let every student, in every class-room, humble himself with his teacher, in the presence of an agency, which reveals in suffering man the healing miracles of old. Thence should be public acts of thanksgiving throughout the land, for this signal favor to men, present and to come. Let young and old be earnest for this privilege with their clergy, and let physicians and surgeons be the first to bow the knee."

The following eloquent tribute to the discovery is copied from

an article which appeared in the "People's London Journal," of January 9, 1847, as indicative of the joy with which this acquisition to surgical science was hailed in the Old World:

"GOOD NEWS FROM AMERICA.—Hail, happy hour! that brings the glad tidings of another glorious victory. Oh, what delight for every feeling heart to find the new year ushered in with the announcement of this noble discovery of the power to still the sense of pain, and veil the eye and memory from all the horrors of an operation. And then to find it acted upon almost on the instant by our first operators, is as gratifying as unexpected. WE HAVE CONQUERED PAIN. This is, indeed, a glorious victory to announce; a victory of pure intellect. And from America comes the happy news; from our brothers in another land, with whom we were lately going to war. Oh, shame be in the thought! This is, indeed, a glorious victory; but there is no blow struck, there has been no grappling together in the war of savage impulse, no bloodshed, no remorse. It is the victory of knowledge over ignorance, of good over evil; there is no alloy; all our finer sympathies are enlisted in one universal prayer of grateful rejoicing. Benevolence has its triumph. It is a victory not for to-day, nor for our own time, but for another age, and all time; not for one nation, but for all nations, from generation to generation, as long as the world shall last."

"Yet, hark! there is no firing of cannon from the Tower—no banners waving in the air—no drums and fifes sounding before the conquering hero—no hubbub in the streets—no gazing multitudes thronging the towns to see the illuminations; no, these are for the most part but the instruments of war, the loud rejoicing of the passions of men triumphing over their fellow-men. We have nothing to do with that now; but only to stretch forth our hand to soothe the agonizing wounds the sword has caused, to allay the sufferings of the afflicted, to still the nerve and sense, while the knife performs its friendly office."

"The rejoicing here is of the heart, in the smile, the tear of joy for suffering relieved, the still voice of the benevolent soul rejoicing inwardly; for to those who can grasp the full sense of the immense boon which has been given to us, it is, indeed,

overpowering—the blessing is incalculable. Let the joyous news spread quickly from ear to ear through all the length and breadth of the land, and wing its way over the seas from shore to shore. And you, poor sufferers, who are now lying in our hospitals and infirmaries on the bed of sickness, waiting your time for the dreaded operation, hear you the reprieve which has been sent! fear no more the pain that you shall endure—a sweet oblivion shall steal over your nerves—and it shall all be to you as though it were not; you shall awake—it is all over, you have felt nothing. Go forward, nurse, from ward to ward, from bed to bed, and announce the glad tidings, and cheer the drooping spirits of the sufferer, and raise a load of fear and anguish from the heart. And see—yes, the pulse beats tranquilly again: they smile—they press your hand in thankfulness. They are prepared. They are ready now, when you will; the knife is robbed of all its terrors."

A distinguished surgeon in the Westminster Hospital concludes his report of operations, performed under its influence in these remarkable words, "So that in point of fact a surgical operation has now come to be a source of regret as an enjoyment too quickly passed away."

The following account of the first public operation with ether in the Old World, is an interesting portion of the facts connected with Dr. Morton's Biography. It is taken from the London Illustrated News of January 9, 1847:

"THE NEW MEANS FOR RENDERING SURGICAL OPERATIONS PAINLESS.—Last week the first experiment was made in this country, of employing the inhalation of the vapor of sulphuric ether as a means of rendering surgical operations painless. The application is of American origin, and was first introduced, a few months since, by Dr. Morton, a dentist of Boston, United States, by whom it was communicated to Dr. Boot, of Gower-street. By this gentleman the discovery was described, on the 17th of last month, to Mr. Robinson, the surgeon-dentist, also of Gower-street, who, on the following day, operated upon a young lady, thrown into sleep by the inhalation, during which a molar tooth was extracted from her lower jaw. The inhalation

occupied a minute and a half, and the patient's recovery from sleep another minute. Dr. Boot questioned her respecting the tooth, and she expressed her great surprise on finding that it was removed. She said that all she had felt was merely a sensation of cold around the tooth—a sensation which was caused, perhaps, by the coldness of the extracting instrument."

The London Lancet, well known as the organ of the surgical and medical professions in Great Britain, said of the discovery:

"The discovery of Dr. Morton—more striking to the general than to the scientific mind—will undoubtedly be placed high among the blessings of human knowledge and discovery.

"That its discoverer should be an American, is a high honor to our transatlantic brethren; next to the discovery of Franklin, it is the second and greatest contribution of the New World to science, and it is the first great addition to the medical art.

"Dr. Morton deserves, if his discovery stands the test of time, the gratitude and reward of every civilized people and government upon the face of the earth."

The leading medical men and surgeons of London were prompt in giving the results of their experiments. Thomas Bell wrote: "I fully intend to try it the first opportunity. The cases are very satisfactory, and the whole affair most important." Liston, the head of his profession in London, wrote, as early as the 21st of December: "I tried the ether inhalation to-day, with perfect and satisfactory results. It is a very great matter to be able thus to destroy sensibility, to such an extent, without apparently a bad result. It is a fine thing for operating surgeons; and I beg to thank you sincerely for the early information you were so kind as to give me of it." Sir James Clarke, the royal surgeon, in speaking of this case of amputation, performed by Liston after the administration of ether, said: "It is really a marvelous thing." Richard Bright did not delay to forward the news to Guy's Hospital, "that no time might be lost in affording so great a relief to any who might be in the unfortunate condition of being obliged to undergo a serious operation."

A graphic account of the introduction of the discovery into England, and the opposition made to it (which will apply almost

as well to many other lands), is taken from the works of Professor Miller. The fact that he is the author of standard surgical works, a lecturer of marked ability, and one occupying high official positions in his profession, gives additional force to his brilliant style of description.

"On the 23d of December, 1846," said Professor Miller, "it was my privilege to read a letter in this class-room, from the late Mr. Liston, announcing, in enthusiastic terms, that a new light had burst on surgery, and that on mankind a large boon had been conferred. The letter conveyed the writer's earliest and most lively impressions of a subject as startling as it was new; and there was a large-hearted generosity about it, that was sure to meet with a suitable response in all right-beating hearts.

"The subject was anæsthesia; and its first sound had come from across the Atlantic. It fell on no dull or idle ear. It was taken up, tried, and speedily re-echoed, and in a few days it filled the island. Mr. Liston struck the key-note; and a pealing note it was. We followed here, with less power, perhaps, but, we hope, in tune—well pleased to find, that high as the note at first seemed to be, it was still within reach of an ordinary compass. The profession were surprised, excited, charmed in the mass; and more especially those on the junior side of the grand climacteric. The elderly gentlemen had their pre-conceived and heretofore settled notions sadly jostled and disturbed. Not a few grew irritable, and resented the interference; they closed their ears, shut their eyes, and folded their hands; they refused to touch, or in any way meddle with, the unhallowed thing; they had quite made up their minds that pain was a necessary evil, and must be endured; they scouted on the attempted innovation, and croaked that 'no good could come of it.' On, notwithstanding, sped the movement.

"The public, as was naturally to be expected, were greatly excited, and rejoiced in the tidings. By some they were scolded for interfering; but, to my mind, they might as well have been reprehended for showing great and personal concern in the wars of the Indian Punjaub, repeal of the Corn laws, or any other of the large and pressing questions of public interest at the time.

At first they seemed somewhat incredulous, as if it were 'too good news to be true.' Soon all became satisfied of there being something in it, on good hearsay evidence; and some had ocular demonstration of what they sought to know. * * * Like the queen of old, they found it was 'a true report they had heard,' but that 'one half had not been told them.'

"And this reminds me of one august visitant who at this time honored the institution with his presence, the singularly humane Chalmers. No pruriency of sight-seeing brought him there. No man, it is well known, was ever more tender of eye, as regards blood and pain. But he had heard of humanity's boon, and sought to know the truth; and it was one of the early triumphs of anæsthesia here, to see that man of large and tender heart witnessing a bloody and severe operation with composure and serenity; feeling little because the patient felt not at all, and the little that he himself did feel was far more than compensated by the thought that a brighter day for that suffering humanity, with which he so closely and continually sympathized, had at length dawned, and that, from henceforth, injury and disease were shorn of half their terrors."

This excitement, and the value of the benefits which it was at once seen Dr. Morton had conferred, induced many of the prominent citizens and scientific men of London to start a subscription for an appropriate donation to him as the discoverer of the effects of ether. At one period, as is shown by letters from persons in England to their friends in this country, "the sum of £10,000 was considered as secured." The controversy which afterward ensued, and the doubts which were thrown around the claim of Dr. Morton to the sole honor, by the insinuations and statements of his adversaries, together with the distance which intervened between the countries preventing a full and appreciative investigation, induced a discontinuance of this attempt which unfortunately has never been renewed.

But it is needless to multiply these statements, for their number is legion. As soon as the steamer which left Boston after the 16th of October had reached Liverpool, the news quickly spread, and testimonials from Germany, Russia, India, and

lands even more remote, were quickly added, bearing witness of its efficacy and safety, and the delight with which it had been received.

Thus, at this time, all looked bright and cheering, for Dr. Morton; numbers of the most noted of his fellow-citizens called upon him to offer their congratulations, and join in the universal thanksgiving. His operating rooms were thronged by the curious, or his many patients and their friends, and the public kept itself on the *qui vive* to learn the latest intelligence of this wonderful event.

But, suddenly "a change came o'er the spirit of his dream." His assistant operators were left without patients, or with the few only who came from distant parts of the country; a dreary silence reigned in those well-appointed and commodious apartments, where so lately before had been such a scene of life and bustle; men who but the day before had greeted him with the warm grasp of friendship and pleasant smile, passed him by in the street with a mere cold salutation or stately bow of recognition. What was this event which had so suddenly turned the huzzahs of yesterday into the chilly silence of to-day, and the joyous acclamations of the press into dark insinuations and mysterious innuendos? Let subsequent events tell the story, and as we peruse these succeeding chapters, make up our own minds as to the cause.

CHAPTER IX.

OPPOSITION.

"Prejudices are notions or opinions which the mind entertains without knowing the grounds and reasons of them, and which are assented to without examination."—*Bishop Berkley.*

We now return to the personal history of Dr. Morton, and, having demonstrated the long-sought value of his discovery, will no longer deviate from the regular course of events that took place subsequent to his inaugural experiments. It is a condition in the fame of men who make their own reputation, that there must be a period in their past lives to look back upon, when their merits were contested or denied. The histories of Columbus, of Jenner, of Fulton, and a legion besides, prove this assertion. The recollection of the world's contumely is subdued by later testimonials of triumph over malice and ignorance, but it is a severe ordeal to pass through. Dr. Morton's memory, perhaps, is crowded with more of these "bitter recollections" than that of any other man, who, by the mere supremacy of genius, has not only won a scientific victory, but has "stood his ground" when others came to dispute his well-earned laurels.

We have already shown that at the very threshold of Dr. Morton's discovery, he was met by an opposition at the Massachusetts Medical Hospital, that might have caused misgivings in the mind of any one who was not thoroughly convinced that his position was invincible. He had tested the safety of his discovery on himself, and had successfully administered it at the hospital, but the surgeons insisted upon being (to use the words of Dr. Hayward) "all confident that it might be used with safety," be-

fore they would consent to use it further. Dr. Morton's disinterested frankness, and the wonderful success of his experiments, both before and after communicating what the discovery was, disarmed this opposition, though many doubted for months afterward.

The new anæsthetic agent now received the sanction of the eminent gentlemen connected with the Massachusetts General Hospital, and it would seem that the doubts of the most incredulous should have been removed. Dr. Morton, impressed with the value of his discovery, strained every nerve to confer its blessings upon his fellow-creatures—administering ether for surgical operations, perfecting his experiments, writing to all parts of the country and of Europe; in short, it was said by R. H. Dana, jr., that "Dr. Morton hardly knew a full night's rest, or a regular meal, for three months."

Yet opponents rose up on every hand, to thwart his plans, and to prejudice the public against his discovery. Among these, the most formidable. were two gentlemen, who afterward, sought to appropriate a share of the honor themselves, of whom more will be said as we advance.

Dr. Gould, of Boston, in whose family he was an inmate, testifies that "he was overwhelmed, day and night, conducting the administration and introduction of ether; there was a strong prejudice against it in this city, [Boston,] and more especially elsewhere; the administration of it was denounced generally, and many things were written against it in the medical and daily journals. I don't know any particulars further than writing articles and denunciations in private conversation." And when asked what Dr. Morton did, and how far he went, in his own defense, Dr. Gould replied: "He wrote and talked, too; I have seen several pamphlets, prepared, as I suppose, at his instance, and at his expense."

Again, Dr. Gould remarks, "Prosecutions were threatened for administering ether at all."

The medium through which Dr. Morton communicated the results of experiments on etherization to the public, was a "circular" which he had printed, at his own expense, almost every

week. It was at first, as its name imports, a mere letter of advice; but, as it became the receptacle of newspaper articles, and correspondence from every portion of the Union, announcing the success of etherization, it was necessarily enlarged into a large and closely-printed sheet of four pages. Soon this "circular" became a pamphlet, and of this five different editions were published, under Dr. Morton's immediate supervision, embodying a digest of all the authentic information, both from Europe and America, on anæsthesia. This was a perfect magazine of arguments against the opponents of etherization, and its preparation naturally gave Dr. Morton a good deal of care and anxiety, as he was considered responsible for the contents.

When the news of the European success of Dr. Morton's discovery came back across the Atlantic, he changed the form of his publication, although he retained its simple title, adding to it "A Voice from Europe." The last edition of this valuable work, which was of nearly one hundred closely-printed pages, embodies much of great interest, and it conquered the prejudices of many who had previously had such imperfect sources of authentic information on the discovery, that their minds had remained warped by prejudice, or they had been unable to form a candid opinion on the subject.

This "Voice from Europe," as the fifth edition of Dr. Morton's circular was also called, acted like sunlight upon the skeptical among the American medical fraternity, and before its bright rays of truth, the darkness of prejudice was soon dissolved. Ether was immediately a universal favorite, and, strangest of all, some of those who had denounced it with the most bitterness, became not only its champion, but (in two instances) endeavored to claim the honor of suggesting its discovery to Dr. Morton.

It was, doubtless, painful to Dr. Morton to have a discovery treated as fabulous, or hazardous, of the truth of which he had satisfied himself by rigid and patient inquiry. But the firmness and decision of his character not only sustained him during this desertion of those who had professed friendship, but appeared to stimulate him to increased zeal in his cause. "Letters," says R.

H. Dana, Jr., Esq., "came pouring in upon Dr. Morton from all parts of the country. He has shown the author of this work ten bound volumes, containing about 2,000 letters received by him on this subject, between Oct., 1846, and July, 1847, some of them coming from distant lands, filled with queries. He was obliged to employ a secretary to answer these communications; to increase his accommodations at great expense; his dental business was neglected, and he risked all, labored, expended health, time, and money, on this discovery. He issued circulars, giving detailed accounts of the experiments, and kept a minute journal of events, experiences, and suggestions."

By his unremitting personal exertions, without any regard to the opposition manifested, Dr. Morton soon had the satisfaction of finding that his discovery was gaining foothold, and it would naturally be supposed that he would have been honored as the benefactor of his race, who had conferred a priceless boon upon suffering humanity. But, while he received many congratulations from the great and the good, his success awakened the envy and excited the jealousy of some of his professional brethren, who had for some time regarded with distrust the large and lucrative business which he had so suddenly created, and now had double cause to fear, from the power which the sole possession of the new agent would give him. Among these, a Dr. J. F. Flagg appears to have stood conspicuous in his "bad eminence." "He at once commenced a terrible onslaught upon the new application of ether, and (more terrible still) upon the hapless discoverer. But not succeeding in his first attempts in crushing the young Hercules in his cradle, and the *éclât* of the thing still spreading, he at length excited his brother dentists to arouse and array themselves in order of battle." Accordingly, early in December, a meeting of Boston dentists was called, and a committee of twelve appointed, (with Dr. Flagg at its head,) to make a formal protest against anæsthesia.

This organized and systematic opposition made a formal appeal to the public against Dr. Morton's discovery through the newspapers. A "manifesto" (which remains as a monument to perpetuate their malice) was published by them in the Boston

Daily Advertiser, and professed to give a large number of instances in which experiments had failed or produced unfortunate effects, though *not a single name* was given. Some of these pretended sufferers were represented to be young ladies, who, after having inhaled ether, had left Dr. Morton's office delirious, and had remained in that state for several days, with bleeding at the lungs, melancholy, and other dreadful results. This authoritative proclamation was spread broadcast over the country, presenting a most serious obstacle to Dr. Morton's agents sent abroad to promulgate his discovery, and it was quoted by the opponents of the utility and safety of etherization, as evidence, while the advocates were troubled by doubts. The voluminous correspondence of Dr. Morton shows, that for months he must have endured the daily annoyance of receiving long letters, elicited by this "dentists' circular." Some wrote to him to inquire into its authenticity; others to inquire into its value; others had doubts awakened by it, which he was urged to answer; others volunteered evidence to contradict its assertions; and a few (who would blush at this autographic evidence against them could they see it) availed themselves of the opportunity to upbraid him as having announced the discovery of "a humbug."

Equally persevering in his attempts to render an essential service to his race, by exposing the dangers of Dr. Morton's discovery, was Professor A. Westcott, afterward connected with a dental college in Baltimore. From the first he seemed to consider it his especial duty to declare war, not merely against the use of ether itself, but also against the unfortunate Dr. Morton. In a published statement, from this learned and facetious professor, he said: "If Dr. Morton can make *me* believe that the indiscriminate application of this vapor is really so very harmless, he will make me believe that I am the richest man on earth. I should then certainly go in for the new patents I spoke of in my former communication. For who would not freely administer a harmless thing, especially when it is endorsed by the first surgeons and medical men in New-England, to stop the crying of cross babies. If the thing is really harmless, and the subjects, 'after breathing it from one half to two minutes, drop into a *quiet slumber*,' it cer-

tainly would be invaluable for nursery purposes. *Morton's sucking bottles* would be in great requisition, surely. I again affirm, that had Mrs. Caudle only acquired a taste for this luxury, her poor husband might have been, comparatively, a happy man." This is a fair specimen of the learned professor's logic and humor.

Neither were members of the dental profession alone in their denunciations of the discovery. Robert M. Huston, M. D., editor of the Philadelphia "Medical Examiner," put on his veto in this wise: "We should not consider it entitled to the least notice, but that we perceive, by the Boston Medical and Surgical Journal, that prominent members of the profession in that city have been caught in its meshes." Again: "We are persuaded that the surgeons of Philadelphia will not be seduced from the high professional path of duty, into the quagmire of quackery, by this Will-o'-the-wisp." And again: "We cannot close these remarks without again expressing our deep mortification and regret, that the eminent men who have so long adorned the profession in Boston, should have consented for a moment to set so bad an example to their younger brethren, as we conceive them to have done in this instance. If such things are to be sanctioned by the profession, there is little need of reform conventions, or any other efforts to elevate the professional character: physicians and quacks will soon constitute one fraternity."

William C. Roberts, M. D., editor of the New-York "Annalist," thus stated his objections: "By-and-by we may see 'Morton's Antipathetic Inhalation' puffed in an article to which shall be appended the honored names of Warren, Bigelow, and Pierson; and wherein, we ask, will it differ from the objectionable contributions of others, quite as high, to Swain's Panacea?" In another place he says: "The last special wonder has already arrived at the natural term of its existence; and the interest created by its first advent has, in a great measure, subsided. It has descended to the bottom of that great abyss which has already engulphed so many of its predecessor novelties, but which continues, alas! to gape, until a humbug yet more prime shall be thrown into it." And again, this Solon says, in speaking of the use of ether in London: "We regret to observe that Mr.

Liston is so negligent of what is due the dignity of his profession, and of his own duty as a member of it, as to have employed this patented nostrum."

Charles A. Lee, M. D., editor of the New-York "Journal of Medicine," says: "We are sorry to see many of our brethren, at home and abroad, stooping from the exalted position they occupy in the profession to hold intercourse with, and become the abettors of, quackery in any form. Such doings are certainly contrary to the ethics of the profession, and should not be tolerated for a moment in any one."

Drs. W. M. Carpenter, E. D. Fenner, J. Harrison, and A. Hester, editors of the New-Orleans "Medical and Surgical Journal," offer the following sentiment on this subject: "That the leading surgeons of Boston could be captivated by *such an invention as this*, heralded to the world under such auspices and upon *such* evidences of utility and safety as are presented by Dr. Bigelow, excites our amazement. Why, *mesmerism*, which is repudiated by the *savans* of Boston, has done a thousand times greater wonders, and without any of the dangers here threatened. What shall we hear next?"

Drs. Chapin A. Harris, Amos Westcott, and Edwin J. Dunning, then editors of the "American Journal and Library of Dental Science," published at Baltimore, joined in the general hue and cry, and did their utmost to warn the public against the use of the Letheon. They wrote: "Great interest has been excited, both in professional circles and in the public mind, by an announcement in the Boston Medical and Surgical Journal, that a Mr. Morton, of Boston, has discovered a gaseous preparation, of a nature so exquisitely anodyne as to fulfill the great desideratum in surgery." Also: "The effects resulting from, or at least liable to result from, the inhalation of the vapor of sulphuric ether, are, in our opinion, more to be dreaded than the pain of almost any surgical operation. We would, therefore, caution our professional brethren against the use of an article capable of producing such sudden, powerful, and dangerous effects."

All this was sufficiently dispiriting; but it did not by any means dampen Morton's ardor or confidence in his discovery, but

rather spurred him on to greater exertions, and a desire to combat them with their own weapons, the public press, in which, by counter statements and citations of proofs, he endeavored to controvert their fallacious statements and insinuations. He likewise strove to secure some public and more general demonstration of the virtues of the agent.

We accordingly find him, therefore, while busily engaged in presenting his discovery to charitable institutions, sending forth agents to introduce it into individual practice, continuing his experiments, and combating the various objections raised on every hand, mindful of his duty to the republic of which he was a citizen. Her armies were then engaged in the war against Mexico, in which "thousands of her best and bravest men," to use the words of Gen. Shields in his defense of Dr. Morton, "fell under the pains and afflictions that followed surgical operations." No time was lost in offering them this shield against suffering, and Edward Warren, Esq. (a nephew of the celebrated Dr. Warren), at that time Dr. Morton's principal agent, went to the seat of government with full instructions and power to act.

Arriving at Washington on the 16th of December, 1846, Mr. Warren exhibited the discovery, "performing many experiments before a host of distinguished men, and with entire and perfect success," though he also wrote: "Everywhere I have been I meet with the statements of Dr. Flagg and others, which stare me in the face, and which must be met and disproved by some one on the ground. To overcome this prejudice and suspicion which they have thrown upon the use of the inhaling vapor, requires all my logic and much time."

"Those statements of Dr. Flagg," wrote Mr. Warren, "have been placed in the hands of every professional man I have met with, leading them to entertain honest fears as to the safety of the thing. To illustrate my difficulties: While demonstrating your discovery to the medical class here, as well as to a large number of surgeons and physicians, Dr. Hunt (a dentist of standing here) came in with the statement of Dr. Flagg and others in the 'Advertiser,' which was read for my edification in

the presence of all these persons. I succeeded in refuting these statements, and in showing their fallacy; and thus being on the ground prevented a verdict against ether. Thus I am assailed from day to day, and thus I must meet objections raised by men of standing from all parts of the country."

There was a strong temptation for Morton to go at once to the seat of war at Washington and engage heart and soul in "the good fight" for a proper recognition of his rights.

But he evidently felt that he had a higher duty to perform—that his place for action was upon the ground where he then was. He was not only in the daily receipt of a large number of letters making inquiries about the new remedial agent, but received constant visits from professional gentlemen anxious to obtain information at what was considered "headquarters." Some of these inquiries consumed his time with speculative doubts, questioning the accuracy of experiments, and recapitulating the complaints of the antagonistic dentists. Others wished to see experiments which would confirm the very remarkable phenomena of which they had heard; and a third class, more troublesome than all others, zealously bestirred themselves to overthrow Dr. Morton's pretensions by insidiously worming themselves into his confidence, making loud professions of admiration, and then denouncing him to others.

He felt, and it was a noble feeling, that to desert his post at this critical juncture, would be an injury to the scientific cause which Providence had as it were placed under his protection, by selecting him from mankind as the instrument of its introduction. But while he was unwilling to go from Boston at this critical juncture, he made a formal tender as before stated of his discovery to the Secretaries of War and of the Navy, for the relief of the suffering soldiers and sailors engaged in the Mexican war. He offered each department, by letter dated January 18, 1847, to send agents to Mexico at once, whose expenses to the Government would be but a few hundred dollars, while the apparatus would be furnished at wholesale price, and the ether would cost but one or two cents to each patient.

The official replies to these generous offers show with what

coldness and distrust the discovery was at that time received, even by gentlemen of the highest professional reputation and position. They are as follows:

"NAVY DEPARTMENT, *April* 17, 1847.

'SIR: Your letter of the 13th instant, tendering for the use of the Navy Dr. Morton's discovery, 'whereby pain is prevented in surgical operations,' has been received and referred to the Bureau of Medicine and Surgery.

"The Chief of that Bureau reports that the article may be of some service for the use of large hospitals, but does not think it expedient for the Department to incur any expense for its introduction into the general service, in which opinion the Department concurs.

"I am, respectfully,
"Your obedient servant,
"J. Y. MASON,
"*Secretary of the Navy.*"

"SURGEON-GENERAL'S OFFICE, *May* 3, 1847.

"SIR: Your communication of the 13th ultimo, stating that you take the 'opportunity again to offer the use of Dr. Morton's discovery, whereby pain is prevented in surgical operations,' has been received.

"In reply, I have to state, that whatever may be the virtues of 'Morton's Letheon,' favored by all the facilities for its administration in civil practice, it is believed that the highly volatile character of the substance itself is ill-adapted to the rough usage it would necessarily encounter on the field of battle.

"For this and other reasons, which it is unnecessary now to detail, I must decline to recommend the use of your remedy in the surgical operations of the Army.

"Very respectfully,
"Your obedient servant,
"H. L. HASKELL,
"*Acting Surgeon-General.*"

In this manner was his generous offer not only disregarded, but the very government which had agreed to protect him against the abuse of his discovery, by giving him a patent, that he might control it, now disregarded the validity of its own instrument. It is officially stated by E. H. Abadee, Assist. Surgeon U. S. A., in a communication addressed to the chairman of a Congressional committee in 1852, that—"ether was first used by the army early in 1847, during the Mexican war, more particularly on

Gen. Scott's line," but in no great degree. And Dr. Pierson, of Salem, Mass., informed the Hon. Mr. Bissell by letter, in 1852, that in Sept., 1847, he "wrote to Gen. Cushing, and to Captain Hoyt, of the Massachusetts regiment, then in Mexico, in favor of ether, and urging them to use their influence to extend its introduction into the military hospitals of the army.

This and other evidence clearly shows, that government not only deprived its soldiers of the benefits of anæsthesia, while suffering from their wounds, by introducing it through incompetent persons, instead of accepting Dr. Morton's liberal offer, but directly cancelled its own patent. Nothing could have struck more fatally at the validity of this covenant, in public opinion, than its open infraction by the very power which had granted it; and this appropriation of Dr. Morton's discovery to the public service without compensation, was attended with consequences far more serious to his rights, than the mere neglect or refusal to obtain his sanction.

Dr. Fries, then member of Congress from Ohio (who has always been a warm champion of Dr. Morton's cause), addressed letters to various medical gentlemen, asking their opinion. The results were anything but satisfactory, as may be inferred from the reply to a letter addressed to Prof. D. T. Mütter, of Philadelphia, on the subject, asking him if it could be "*usefully* employed in the practice of surgery, in the manner proposed by Dr. Morton." To this the Professor replied:—"On this point, there is in my mind *not the slightest doubt*. I cannot consider any agent generally useful that unquestionably subjects the patient to the risk of *losing his life*." And, in another place, in his letter, he says:—"The peculiar method of Dr. Morton is, consequently, of no value; but granting that his measures are peculiar, and even better than those of others, I trust the day is far distant when we shall find so distinguished a body as our national Congress lending itself to the advancement of quackery in any shape."

Strange as it may seem, since a much later period, the use of ether was regarded with jealous fear by many eminent members of the medical profession, even in the United States. A strik-

ing evidence of this appears in the "Annual Report on Surgery, read before the College of Physicians, Nov. 2, 1847, by Isaac Parish, M. D.," where it is said: "*At the Pennsylvania Hospital in this city it has not been tried at all;* being considered by the judicious surgeons of that institution as a remedy of doubtful safety, or, at least, as not sufficiently established to warrant them in its employment." And yet, in the same report, we find the following sentence: "But when we extend our vision to foreign countries, and call to mind that, during the past nine months, it has been adopted in most of the large hospitals of Great Britain, in the vast hospitals of Paris, and, for the last six months, in the numerous institutions of like character in Germany, including the immense hospitals at Vienna and Berlin, we can form some idea of the extent to which it has been carried, and of the firm hold which this great American discovery has taken of the mind of the scientific world."

This is confirmed by the testimony of Dr. Bigelow. "There was," he says, "a great difference of opinion—first, as regards its safety. Many people maintained that it was dangerous. Some eminent surgeons have pertinaciously, and in the most surprising manner, adhered to this opinion to the present day, objecting to its use. At an early period, certain religious grounds were urged against its adoption."

The curious ground of opposition to the use of ether, that of religious scruples—based upon the argument that, as man was condemned by Providence to suffer pain, it was wrong in him to endeavor to attempt to palliate the decree—was much more generally indulged in during the first few years after the discovery than would now be believed. Even at the present time there are probably a large number of persons throughout the country who would oppose the use of it in their own persons for that very reason.*

* "I found many patients with strong religious scruples on the propriety of the practice. Some consulted their clergymen. One day, on meeting the Rev. Dr. H——, he stopped me to say, that he was just returning from absolving a patient's conscience on the subject, for she had taken chloroform during labor (and so avoided suffering), but she felt unhappy ever

In the year 1850, the writer of this book attended, with Prof. Morrill Wyman, of Cambridge, an operation on a respectable farmer, who had, by some accident, divided one of the arteries in the palm of his hand. As it had been found impossible by any method to stop the bleeding, it was decided necessary to tie the artery which supplied the blood at the wrist.

The operation is not by any means a grave one, and only in a moderate degree painful, as the incision through the skin required is but small. Nevertheless, to obviate even this degree of pain, the precaution was taken to carry a small vial of chloroform.

The patient had been previously warned of the necessity of the operation, and that something would be given him to prevent any pain. But on arriving at the house, we were met by his wife, who, calling us aside, informed us that her husband, after a conversation with her, had decided not to inhale the ether, the reason being that they both considered it wrong; she added, that having fortified himself by prayer, he felt himself sufficiently prepared, and would not endeavor to escape any of that punishment which had been ordained man for his sin.

Of course, to this information no answer was to be made—and preparations were accordingly commenced for the operation, while the good wife adjourned once more to her husband's room, to further strengthen his resolution by an additional prayer.

When all was ready, and with a last kiss, his wife had left the room, the good farmer's hand was placed in the proper position upon a small table. Then the surgeon, with one clean, quick cut, divided the skin immediately over the artery. This was actually the only painful part of the operation, the sensi-

since, under the idea that she had done something very wrong and very sinful. A few among the clergy themselves, for a time joined in the cry against the new practice. I have just looked up a letter which a clergyman wrote to a medical friend, in which he declares that chloroform is (I quote his own words) "a decoy of Satan, apparently offering itself to bless women; but in the end, it will harden society, and rob God of the deep earnest cries which arise in time of trouble for help." And you are aware how earnestly some medical men attempted to preach, and, as you state, still preach against it, on religious grounds."—*Letter of Dr. Simpson to Dr. Protheroe Smith, July 8th*, 1848.

tive nerves lying almost wholly in the skin. But the good farmer was hardly as much fortified as he supposed, for with a terrific yell, which could have been heard almost as far as a steam-whistle, he broke from the hands which endeavored to restrain him, and ordered a discontinuance of the operation.

"Phew!" said he, "that was awful. Why, Doctor, I didn't know it was to hurt like that."

"Certainly," said Dr. Wyman. "I told you it would pain some. How do you expect any cutting can be done and you not feel it? Come, my good friend, sit down and let me finish, it will soon be through."

"But wait; is it going to hurt like that all the rest of the time?"

Dr. Wyman, with a severe struggle to keep his countenance, at the peculiar appearance and disordered air of the worthy man, answered, that "it would, in some degree, but not nearly as much."

"Yes, Doctor, but I can't stand it; you say that the stuff you have in that little bottle will keep me from feeling it? You do? Well now, Doctor, do you think it would be really wrong to take it? Say just a little enough to keep off the worst of the pain, but still let me feel it some—of course you don't. You are a good man, Doctor, and you wouldn't do anything wrong I know; besides, if you recommend it to me, the blame ought to fall upon you." After pausing a minute in deep agitation, he suddenly brought his huge fist with a loud thump upon the table, and with a preliminary specimen of "*muscular English*," exclaimed, "Well, wicked or not wicked, Doctor, I guess I'll go the ether."

With the action of the ether, his religious scruples entirely vanished, and a few moments later saw him completely insensible, and the operation finished.

The amazement and quiet look of reproach of his wife, when on entering the room she was informed of what had been done, was inimitable. The poor husband, still half tipsy from the effects of the anæsthetic, conscious that he had offended the good opinion of his better half, yet sure that she would have done the

same had she been in his place, endeavored to reason with her. But his tongue was a little too much out of his control for him to be very intelligible, and his brain was quite too much affected for the excuses to be other than of the lamest kind. The scene was particularly amusing to all spectators.

How many a good resolution vanishes in the same way at the first little trial.

CHAPTER X.

THE PATENT.

"PATENT, A writing given by the proper authorities and duly authenticated, securing to a person, for a term of years, the exclusive right to an invention."—*Webster's Dictionary Unabridged.*

IT was evident, from the formidable opposition that the discovery met with, that a systematic and expensive plan was necessary, as is shown at p. 450, Chap. XXII., to secure for it a fair and prompt trial throughout the scientific world. To do this it was necessary that highly rectified ether should be manufactured, and put within the reach of the profession throughout the country; that the apparatus, which was then very expensive and imperfect, should be manufactured in such sufficiently large numbers as to reduce the price so low that every practitioner could purchase one. The prejudicial reports of alarming experiments, and the reluctance with which scientific men adopted it in their practice, was creating a tide against anæsthesia which there seemed no way to stem but first to instruct young physicians, and send them to the points where opposition was arraying itself, equipped with ether and apparatus, and instructions to furnish the profession with all these facilities. It was necessary that each of these messengers to the guardians of the sick and wounded should be kept constantly apprized, although in separate parts of the country, with the accumulated report of cases in favor of anæsthesia. To disseminate this knowledge, and to respond to the prejudicial publications, it was necessary to employ considerable literary assistance, and to incur large expense of printing, publishing, and distributing. To meet these require-

ments demanded heavy monetary transactions on the part of Dr. Morton. It therefore became a question to be decided by business as well as scientific men, what was the proper line of conduct for him to pursue, for it was clear that from him alone would be expected these facilities.

But for him to make this large outlay, simply because he was the discoverer, without securing a proper security for this expenditure of money, he was told was simply absurd, and that his true course was to do as the Constitution of the United States pointed out to him—procure a patent.

Besides Dr. Morton states, in his memoir to the French Academy, that he was partially induced to take out a patent, because he "was advised that it would be well to restrain so powerful an agent, which might be employed for the most nefarious purposes."* The records of criminal courts in both the old and in the new world, show the truth of this supposition, for the agent intended to relieve the suffering has been used to stupefy the victims of desperadoes; and in one country, as we are informed by Dr. Bigelow, a government discountenanced the discovery on this very account. But this was not the only motive which induced Dr. Morton to wish that his discovery might be restrained within proper bounds. The agent was then comparatively unknown;

* *Extract from the Boston Post, July 19th,* 1847.

"THE ABUSE OF ETHER."

"A late number of the London *Times* publishes a letter from a philanthrophic correspondent, denouncing a fatal habit which it seems has speedily sprung up in the great metropolis, of using the new agent, ether, in the same way that the drug opium has been taken—for the purpose of pleasant exhilaration—to all intents intoxication. This letter writer remarks as follows: 'Entering a chemist's shop the other day, I observed a nurse come in for four ounces of ether; as the chemist poured it out, he said to me, "This is all the go, now; it is used for inhalation." A small apparatus has been invented for ladies; so delightful are the sensations it produces, that persons who have used it for the relief of pain, continue to use it for the pleasure it affords. On a former occasion I had warned a chemist of the danger of yielding to a habit which would become his master; the warning was neglected, the habit has gained the mastery, and the man of talent and energy has become the imbecile, driveling idiot.' So much for the debasing use to which the new agency may be applied."

he had himself (as his memoir shows) been once deceived by using an impure article, and had he announced that all the world could produce insensibility to pain by using ether, many fearful accidents would have followed its indiscriminate administration, without regard to quality, quantity, or regulation. He was well aware that he would be held answerable for every supposed misadventure of this kind, and naturally wished to avoid such opposition by controlling his discovery.

Again, justice to his family and himself demanded that he should obtain some compensation for his dangerous and arduous labors and large expenditures. And in what other way could this be done, but by keeping it as a secret out of the hands of the public, or the rest of the profession, against which his soul revolted, or by protecting himself by procuring a patent.

At the commencement he had adopted the former plan; and kept the name of the agent a secret, which was necessary for the following reasons:—

1st. He wished to make such modifications as experience might suggest as regards the method of exhibition.

2dly. He wished to instruct a suitable number of competent persons, who, when wanted, could go to any part of the country and administer it themselves, until its merits were fully established.

3dly. He wished to prevent its being at its infancy brought into disrepute or doubt, by ever being used at the hands of injudicious, or unskilled persons; for, to quote from one of his private circulars, he knew that "asphyxia and etherization are two different things."

Those worthy and qualified to use the discovery, however, received every encouragement at his hands. So early as the 30th October, 1846, he requested Dr. Warren to give him as perfect a list as possible of all the hospitals and charitable institutions in the country, that he might present them with the use of this new blessing to their suffering patients. This praiseworthy request was granted, and soon every eleemosynary institution in the country, where surgical operations were performed, every charitable hospital, and many eminent surgeons, were offered free license

to use the discovery, with a donation of apparatus and instruction, as a sense of the obligation felt by Dr. Morton for the interest they had displayed in establishing the value of his discovery.

The official letters acknowledging some of these benefactions not only show Dr. Morton's liberality in extending the benefits of his discovery, but are important as evidences of his then undisputed claim to the discovery.

The reader has been already informed of the refusal of the surgeons of the Massachusetts General Hospital, to continue the use of the agent after the second experiment, without knowing what it was, and of the unconditional and public manner in which Dr. Morton informed them it was simple sulphuric ether. He now, however, addressed a letter to the trustees of that institution, and offered them a free and unrestricted use of this anæsthetic agent.

In acknowledgment of this gift, he received the following reply, which bears the general character of the answers which he daily received.

"BOSTON, *Dec.* 21, 1846.

"DR. W. T. G. MORTON—*Sir:* At a meeting of the trustees of the Massachusetts General Hospital, held yesterday, your letter of the 14th inst., presenting to the hospital the right to use your '*Discovery for the prevention or alleviation of pain in surgical operations*,' was laid before the Board.

"I am directed, by a vote of the trustees, to inform you that they accept your polite offer, and to express to you their thanks for your valuable gift, and their sense of the importance of the right to use *your discovery* in the institution under their control.

"Your ob't servant, MARCUS MORTON, JR.,
"*Secretary Mass. General Hospital.*"

After mature consultation with various persons, on whose judgment he felt he could safely rely, he determined to take measures to secure a patent; and thus, by legally protecting himself, to prevent its indiscriminate and careless use.*

* This was not done without mature consideration on his part, and after conferring with several upon whose judgment he relied. The objections which could be made against this by some, bear against Dr. Morton only on the broad abstract ground that any discovery which can be made conducive to the physical well-being of mankind, should be freely and gratui-

For the purpose of securing a patent, he at once called on Richard H. Eddy, Esq., a solicitor of patents in Boston, and stated to him, "that having made an important discovery, by which he could extract teeth without pain, he desired to know, whether he could obtain a patent for it." He likewise informed

tously thrown open to it. Laws have been passed by medical societies to enforce this upon their members; but this did not affect the case of Dr. Morton, as he was not then a member of any medical society.

"No one will deny that he who benefits the world should receive from it an equivalent. The only question is, of what nature shall the equivalent be? Shall it be voluntarily ceded by the world, or levied upon it? For various reasons, discoveries in high science have been usually rewarded indirectly by fame, honor, position, and, occasionally, by other countries, by funds appropriated for the purpose. Discoveries in medical science, whose domain approaches so nearly that of philanthropy, have been generally ranked with them; and many will assent with reluctance to the propriety of restricting, by letters patent, the use of an agent capable of mitigating human suffering. There are various reasons, however, which apologize for the arrangement which I understand to have been made with regard to the application of the new agent:

"1st. It is capable of abuse, and can readily be applied to nefarious ends.

"2d. Its action is not yet thoroughly understood, and its use should be restricted to responsible persons.

"3d. One of its greatest fields is the mechanical art of dentistry, many of whose processes are by convention secret, or protected by patent rights. It is especially with reference to this art, that the patent has been secured. We understand, already, that the proprietor has ceded its use to the Massachusetts General Hospital, and that his intentions are extremely liberal with regard to the medical profession generally, and that so soon as necessary arrangements can be made for publicity of the process, great facilities will be offered to those who are disposed to avail themselves of what now promises to be one of the important discoveries of the age."—*Article of Dr. Henry J. Bigelow, Nov. 18th,* 1846.

"The community is taxed by patent rights for inventions to the amount of many millions annually, the men of science, paying themselves a part of these taxes, and bringing to light by their unpaid labors scientific discoveries from which these inventions in a great measure take their rise, are left entirely in this country without any reward whatever. In Europe they are rewarded; besides that, they are supported by salaries attached to their membership of scientific bodies."—*Letter of Dr. Alexander H. Stevens, Jan. 5th,* 1852.

him, that the agent was sulphuric ether, administered by inhalation, and illustrated its effects to him by the case of Mr. Frost, and a description of the machine then used.

Mr. Eddy expressed doubts whether the discovery was patentable, but promised to give a mature opinion as soon as he had carefully examined the legal authorities on the subject. This was about the middle of October, and on the 21st of the same month, he gave as his belief, that a patent could be obtained, and consequently commenced at once the necessary steps for its receipt

On Nov. 12th, 1846, sixteen days subsequent to the application, a patent was received signed by James Buchanan, then Secretary of State. The pecuniary interest of this American patent was divided in the following manner:—Twenty-five per cent. of the net profits was to be given to the solicitor, for his services and expenditure, and doing the general business under the patent; ten per cent. to another party for advice and personal influence, and the remaining sixty-five per cent. to Morton for his invention and discovery.

In order to form some idea of the reveuue expected from this source I will give the reader a brief estimate, calculated from one of the early licenses sold under the patent. The exclusive use of the agent in Essex county, Massachusetts, was conveyed to Dr. Fisk of Salem, in the same county, for the sum of eight hundred and fifty dollars.

The area comprised in this license contained a population of 100,000 inhabitants. The duration of the license was for five years.

The American patent extended to fourteen years, and,supposing the license to Dr. Fisk to remain equally valuable all the time of this period, the license for fourteen years would have been worth $2,380. At the same rate the sale of licenses for the whole State of Massachusetts, containing a population of over one million, would have been worth $23,800, and for the whole United States, whose population was then estimated at twenty-three millions, $547,400; of which the solicitor's share would have been $136,850. The party to whom ten per cent.

was to be given, $54,740. While the remainder, the share of Morton, would have been $355,810—and this exclusive of the income from the English patent—or any increase in the price of the licenses, as the value of the patent became more fully developed.

The subject of the American patent having been thus happily disposed of, the commissioner called upon Morton on the 29th of October, and informed him that steps should be at once taken to procure the patents abroad, and secure himself from the use of the invention there. The next steamer for Europe was to sail on the next Sunday morning, November 1st, and Mr. Eddy feared that if the business was delayed until the departure of the succeeding steamer, a fortnight later, that the discovery would be proclaimed in England from the reports in the newspapers or from letters sent out by witnesses or surgeons to their friends there; and that in consequence the introducer would become the legal patentee, and thus Morton would be robbed of the credit and emolument, the result of his labors.

He stated as an English law, that only an English subject could procure a patent there, but this could be easily evaded, by having some citizen of the British realm take out the patent in his own name, with an understanding that he was at once to assign it and all its benefits to the American discoverer.

Accordingly it was agreed upon between them that the whole subject should be communicated on Morton's behalf to his countryman, J. A. Dorr, Esq., who was then in London, and that, authorized by legal authority to act in the premises, he should at once proceed to secure a patent in the name of some citizen of Great Britain, and then assign it as above mentioned. Mr. Dorr being also intrusted with the superintendence of the business in Europe.

It is sufficient here to say that the necessary papers were prepared, signed and deposited in the Foreign Office. On the arrival of the documents in England Mr. Dorr accepted the trust, an English patent was granted Moses Poole, Esq., of Lincoln's Inn, in the county of Middlesex, December 21st, 1846, in trust, and was at once assigned to Mr. Dorr, and subsequently to Morton.

After securing the English patent, Mr. Dorr at once brought the subject to the notice of the English people; how favorably, the chapter on the promulgation and reception of this discovery has already told us.

Following the usual custom in monarchical countries, he likewise prepared a number of sets of costly apparatus, which, with full instructions how to produce etherization, and what dangers were to be guarded against, he forwarded, in the name of Morton, to Nicholas, Emperor of Russia; Ferdinand, Emperor of Austria; Louis Philippe, King of the French; Leopold, King of the Belgians; Charles Jean, King of Sweden; Christian VIII., King of Denmark; Frederic Augustus, King of Saxony; Ernest, King of Hanover; William, King of Holland; Louis, King of Bavaria; and Charles Albert, King of Sardinia; and also to Velpeau, Jobert, Blandin, Ricord, Maisonneuve, and many other celebrated surgeons all over Europe.

From the ministers of some of these powers, the American discoverer has received the most grateful and flattering acknowledgments. Louis Philippe, then in the zenith of his power, evidently took the most interest in the discovery—perhaps, because, as is well known, he always had a passion for amateur surgery—and a special letter of thanks, dated from the Tuilleries, states that he "appreciates the sentiment which inspires this obliging communication."

Not only did Dr. Morton thus offer free rights to charitable institutions in every part of his own country, but in every "License" granted under the patent to responsible practitioners, for a small equivalent, was a distinct clause guaranteeing a repayment of the fee should the Government of the United States adopt the invention. "I had little doubt," said he, "that the proper authorities would take it out of private hands, if the public good required it."

He likewise furnished many of the most eminent practitioners with his own style of inhaling apparatus, which were then considered necessary for successful administration. One answer, extracted from the many written in reply to the gift, will suffice:

"My Dear Sir:—I beg to acknowledge the receipt from you of a very handsome apparatus for the inhalation of sulphuric ether. Be so kind as to accept my best thanks for it, and believe me,

"Very truly, your obedient servant,

"J. Mason Warren.

"Dr. Morton.

"Boston, *Jan. 15th*, 1847."

The preparation of ether, and the superintendence of the manufacture of these instruments, occupied much of his care and attention. The patient, who at present merely has to plunge his nose and mouth into a bell-shaped sponge, and inhale the vapor, little realizes the labor and expense incurred in deciding upon such a simple modification. Expensive and formidable-looking instruments were at first made, which were constantly improved upon and altered; alteration succeeded alteration, until at last, as often happens, it was discovered that the simplest means were the best, and a common sponge is all that is now used, being the same mode of exhibition Dr. Morton used in his first experiment upon his own person.

But before this result was arrived at, hundreds of machines were given away or sold to practitioners applying for permission to use the ether. One contract, dated January 1st, 1847, with the firm of J. B. Johnson & Co., provided for the manufacture of fifteen hundred sets, and this was but one out of four firms thus employed. Besides, large contracts were entered into with glass companies for the manufacture of globes, retorts, and other glass ware, for each constant alteration.

Thus far the young child which had been so lately born to the world, had not been christened, owing to the entirely new use to which the agent had been put; language then was deficient in the accuracy and precision necessary, when speaking of the agent and the state which it produced.

Upon consultation with Dr. O. W. Holmes, and other gentlemen of literary and scientific attainments, it was at length decided that the state of insensibility produced should be called "anæsthesia" (from the two Greek words—*a*, privitive, and *αισθάνομαι*, I feel); to apply the term anæsthetic both to the state and to the agent, and to denominate the act or process by which

the effect was brought about, "etherization," or the act of giving ether. These terms were at once adopted, and are now in common use.*

The term "Letheon," given to the ether immediately after the American patent was secured, and by which it was at first generally known, was adopted simply "to avoid circumlocution," and was brought about in this wise. Drs. H. J. Bigelow, Holmes, and Morton, having met at the house of Dr. A. A. Gould, the latter read aloud a list of names which he had prepared. Dr. Morton, on catching the word "Letheon"—the same that Dr. Gould had also put on his list—exclaimed, "That is the name the discovery shall be christened." Returning to his office soon after, where the writer was then sitting, he said, "I have found a name for the discovery, and am going to call it *Letheon.*"†

The term was derived from the name of the river Lethe, said

* The following letter received by Dr. Morton possesses so much of the peculiar style of the writer, that I have copied it entire:

"BOSTON, *Nov.* 21*st*, 1846.

"MY DEAR SIR:—Everybody wants to have a hand in a great discovery. All I will do is to give you a hint or two, as to names, or the name, to be applied to the state produced and the agent.

"The state should, I think, be called 'Anæsthesia.' This signifies insensibility, more particularly (as used by Linnæus and Cullen) to objects of touch. (See GOOD—*Nosology*, p. 259.) The adjective will be 'Anæsthetic.' Thus we might say, the state of anæsthesia, or the anæsthetic state. The means employed would be properly called the anti-æsthetic agent. Perhaps it might be allowable to say anæsthetic agent, but this admits of question.

"The words, antineuric, aneuric, neuro-leptic, neuro-lepsia, neuro-etasis, etc., seem too anatomical; whereas the change is a physiological one. I throw them out for consideration

"I would have a name pretty soon, and consult some accomplished scholar, such as President Everett or Dr. Bigelow, senior, before fixing upon the terms, which *will be repeated by the tongues of every civilized race of mankind.* You could mention these words which I suggest for their consideration; but there may be others more appropriate and agreeable.

"Yours, respectfully,

"O. W. HOLMES.

"Dr. MORTON."

† Appendix to "*Some Account of the Letheon, or who was the Discoverer*, by Edward Warren."

in mythology to be one of the rivers in the infernal regions. The water of this river was supposed to have the peculiar property, when drank by any of the spirits of the dead on entering Elysium, of causing them to forget all the sorrows and troubles of their past lives. Hence the name of the river from the Greek word $\lambda\eta\theta\eta$ signifying "forgetfulness or oblivion."

Scarcely, however, was the christening completed before the United States government struck a blow at the validity of the patent in public opinion. He had offered to furnish the military and naval forces then engaged in the Mexican war, at a mere nominal price, just sufficient to defray the expenses of competent operators. But his generous offer (as we have previously stated) was not only disregarded, but the very government which had agreed to protect him against the abuse of his discovery by giving him a patent, that he might control it, now disregarded the validity of its own instrument. It is officially stated by E. H. Abadee, Assistant Surgeon U. S. A., in a communication addressed to the chairman of a Congressional committee in 1852, that "ether was first used by the army early in 1847, during the Mexican war, more particularly on General Scott's line." And Dr. Pierson, of Salem, Mass., informed the Hon. Mr. Bissell, by letter, in 1852, that in September, 1847, he "wrote to Gen. Cushing and to Captain Hoyt, of the Massachusetts regiment, then in Mexico, in favor of ether, and urging them to use their influence to extend its introduction into the military hospitals of the army."

This and other evidence clearly shows that government not only deprived its soldiers of the benefits of anæsthesia, while suffering from their wounds, by introducing it through incompetent persons, instead of accepting Dr. Morton's liberal offer, but directly cancelled its own patent. Nothing could have struck more fatally at the validity of this covenant, in public opinion, than its open infraction by the very power which had granted it; and this appropriation of Dr. Morton's discovery to the public service without compensation was attended with consequences far more serious to his rights than the mere neglect or refusal to obtain his sanction.

He had thorough and competent agents in every city and large town in the Union, where application had been made for it, who were thoroughly instructed in the administration of ether, and guarded against the dangers which might arise from an impure article, or improper use of that which had the inventor's sanction.

No sooner was it announced in the New-York Herald and other papers, that the government had adopted the use of ether for the public service, without any regard for its own patent, than those who had been kept from it for good reasons joined in the cry that the licenses were of no use, and that the discovery was free to all. Its legitimate *use* had never been subject to other than proper restraint; had been generously offered to all public institutions, and to the very government which so ungenerously appropriated it. Now, its *abuse* commenced.

Agents, in distant sections, had to be supplied with funds to defray their expenses home, for, like Othello, they found their "occupation gone;" and those who had derived great pecuniary benefits from licenses, now clamored for a return of the comparatively trifling sum which they had paid, upon the ground that others had equal privileges.

This was a most unfortunate era in Dr. Morton's life, and left him exactly where Dr. Jenner was, when he also had been induced to incur large expenses in London for the introduction of vaccination, and found himself a great pecuniary loser. A knowledge of the ungrateful conduct of government stirred up greater hostility and envy, and materially added to his own responsibility, without giving him the strength and independence which might better have enabled him to cope with his antagonists. He was left with the whole weight of a momentous undertaking upon his own shoulders. Those who were jealous of his fame waxed more bold; his friends became lukewarm; the demands upon his time and attention were increased; no steps were even taken to enforce the patent, and the world has continued in its free use. According to the terms of the business manager of the patent, the half yearly account was now rendered, as seen in Chapter XV., page 231. The patent agents in this country and Europe, felt,

as Dr. Morton had transferred to them a quarter interest, to attend to all business under these patents, and as in consequence of this, they had been to large outlays, that Dr. Morton ought to enforce the patent, or reimburse them. By this time, Dr. Morton had been influenced by the professional gentlemen he had come in contact with, in the belief that the race upon whom he had conferred this boon would certainly not see him go unrequited for his great outlay of money and for the sacrifices he had made, and that he should adopt their view of its being non-professional, to the extent at least, of not enforcing his patent by a suit at law against infringers; and that he should rely upon the government remunerating him through their assistance.* He therefore did adopt this course, and in order to

* *To the Senate and House of Representatives of the United States of America, in Congress assembled.*

"The undersigned, physicians and surgeons of the Massachusetts General Hospital, beg leave to represent—

"That, in the year 1846, a discovery was made in the city of Boston, by which the human body is rendered insensible to pain, during surgical operations, and during other serious and violent affections, by means of the vapor of ether inhaled into the lungs;

"That a patent for this discovery was taken out by two citizens of Boston, by whom the first satisfactory experiments on the prevention of pain by this means had been made; and the first capital operations, conducted under the influence of this agent, were performed in the Massachusetts General Hospital, by the surgeons of that institution;

"That the success of this method of preventing pain has been abundantly and completely established by one hundred and fifteen operations performed in said hospital during the last year, and by a still greater number out of it in the city of Boston.

"And, in all cases within the knowledge of the undersigned, it has greatly mitigated, or wholly prevented, the pain, when skillfully administered, and in no case has any fatal or disastrous consequence followed its use, within their observation; and although inconveniences and temporary disturbances of the nervous system have sometimes followed its application, yet these are exceptions to the general rule, and are not more common than those which result from the employment of other powerful medicinal agents, and are incomparably less distressing than the evils they are employed to obviate.

"The undersigned have reason to believe, that, since the introduction of this process, some thousands of persons have inhaled ether in Boston and

keep good faith with the patent agents, in both America and Europe, refunded to them to the extent of their entire satisfaction; in consideration for which they assigned back to him all their interest in the American and foreign patents.

its vicinity, with impunity and benefit; that its value is already recognized, and its employment introduced into most parts of Europe; that the use of the process ought to be, and, by judicious arrangements, probably will be, extended into all parts of the United States; and that no discovery in medical science, during the present century, has relieved as much suffering, and conferred so great a benefit on humanity, as the discovery of the power and application of ether.

"The undersigned are aware, that the power of ether to produce insensibility, and even death, when improperly used, was known in Europe many years ago. They are also aware, that other aeriform bodies have been experimented on, and the vapor of ether itself unsuccessfully tried, by other individuals, in surgical operations; but they are satisfied, that the safety of the process, and the effectual mode of applying it, were first made known in Boston, in 1846.

"Understanding that the use of this important discovery is now restricted by letters-patent granted from the office of the Secretary of State, and believing that it is the policy of wise governments to diffuse among their constituents the blessings of such discoveries as tend to alleviate human suffering, and, at the same time, to reward those who have conferred such benefits upon the world—the undersigned respectfully pray, that such sums as shall be thought adequate may be paid by the government of the United States to those persons who shall be found, on investigation, to merit compensation for the benefit conferred on the public by this discovery, and on condition of the relinquishment by them of any patent right they may hold restricting its use.

(Signed)

"JOHN C. WARREN,	H. I. BOWDITCH,
"JACOB BIGELOW,	O. W. HOLMES,
"GEO. HAYWARD,	J. MASON WARREN,
"ENOCH HALE,	SAMUEL PARKMAN,
"S. D. TOWNSEND,	HENRY J. BIGELOW.
"JOHN D. FISHER,	

"BOSTON, *Nov.* 20, 1847."

CHAPTER XI.

CONTROVERSY—NITROUS OXIDE.

"I told him, although it were the custom of our learned in Europe to steal inventions from each other, who had thereby at least this advantage, that it became a controversy which was the right owner, yet I would take such caution that he should have the honor entire without a rival."—*Gulliver's Travels.*

DR. MORTON states in his memoir to the French Academy, that "In the course of the winter (1844–45) Dr. Horace Wells, of Hartford, Conn., a dentist, and formerly my partner, came to Boston, and desired me to aid him in procuring an opportunity to administer the nitrous oxide gas, which he said he believed would destroy or greatly alleviate pain under surgical operations. I readily consented, and introduced him to Dr. George Hayward, an eminent surgeon, who offered to permit the experiment, but as the earliest operation was not to be performed under two or three days, we did not wait for it, but went to Dr. Warren, whom we found engaged with his class. He told us that his students were preparing to inhale it that evening, for sport, and offered to announce the proposal to them, and ask them to meet us at the college. In the evening Dr. Wells and myself went to the hall, and I took my instruments. Dr. Wells administered the gas, and extracted a tooth, but the patient screamed from pain, and the spectators laughed and hissed. The meeting broke up, and we were looked upon as having made ourselves very ridiculous. I saw nothing more of Dr. Wells, but he left my instruments at my office very early the next morning, and went directly home. In July, being again in Connecticut, I called on Dr. Wells, and we spent some time in adjusting our former partnership accounts. He had then given up dentistry, and was engaged in conducting an exhibition of birds, which he said insured him better health. I went with him to the office of Dr. Riggs, where I spoke of the

gas, and asked them to give some to me; but Dr. Wells gave me to understand that he had abandoned the experiment, thinking it could have no practical value."

The rebuff received by Dr. Wells in Boston induced him to drop, in great measure, the subject of further experimentation, as a short time afterward "he gave it to be understood, that he had abandoned the experiment, thinking it could have no practical value." A naturally-unsettled disposition, or a poor requital for his labor, induced him after a time to relinquish even the practice of dentistry, and engage in various heterogeneous pursuits, concerning which he wrote to Dr. Morton, under date of July, 1845; "On giving up my business in Hartford, I went into a sort of speculation which used up my ready means and I sunk the whole of it." At one period he was employed in manufacturing coal-sifters; at another in the exhibition of birds, and other objects of natural history, or a panorama of some kind; then he busied himself in the manufacture and sale of patent shower-baths, in connection with another person. But all these proving either unsuccessful or not sufficiently lucrative, he engaged in a speculation which consisted in purchasing French engravings or paintings, at Paris, at the low price they can be furnished there, with the intention of afterward disposing of them here at an advance. In pursuance of this plan he sailed for Europe,* two months after the discovery had been promulgated by Dr. Morton, and reached Paris, where, with the exception of one statement, made two months after Dr. Morton's discovery was announced, and which I shall soon explain, he first made the assertion of his prior claim publicly, avowed his own authorship of the original idea, from his communication of which he asserted the other claimants received their information.

Now, during this period of two months, which intervened between the open assertion of the discovery by another and his own departure, with the one exception before referred to, not one

* Dr. Wells' visit to Europe had no connection with this discovery, and it was only after I had seen the letter of Drs. Ellsworth and Marcy, that I prevailed upon him to present his claim to the Academy of Science.—Letter of Dr. Brewster, Paris, March 21, 1847.

word was published which hinted at his claim, not one effort was made on his part to substantiate it. But with the mighty secret in his heart, with a full cognizance of the inestimable benefits he could confer on humanity, and the glory, if not wealth which would accrue to the discoverer, with no written depositions or evidence to settle his claim in case it should be disputed, he quietly sailed away to a foreign land, on an errand of private speculation—though he knew that Morton was making strennous efforts before the Government.* If he had aught to do with the discovery, this was a remarkable method of proving it.

The exception referred to consists of a letter, published in the "Hartford Courant," just before sailing, which as a remarkable specimen of logical reasoning, and plain statement, supported by corroborative facts and circumstances, I have copied entire, merely printing in italics those portions to which I wish to draw the attention particularly:

"HARTFORD, *December 7th*, 1846.

"Mr. EDITOR: You are aware that there has been much said of late respecting a gas which, when inhaled, so paralyzes the system as to render it insensible to pain. The Massachusetts' General Hospital have adopted its use, and amputations are now being performed without pain. Surgeons, generally, throughout the country are anxiously waiting to know what it is, that they may make a trial of it; and many have done so with uniform success. As Drs. Charles T. Jackson and W. T. G. Morton, of Boston, claim to be the originators of this invaluable discovery, I will give a short history of its introduction, that the public may decide to whom belongs the honor.

"*While reasoning from analogy*, I was led to believe that the inhaling of any exhilarating gas, sufficient to cause a great nervous excitement, would so paralyze the system, as to render it insensible to pain, or nearly so, for it is well known that when an individual is very much excited by passion, he scarcely feels the severe wound which may at the time be inflicted, and the individual who is said to be 'dead drunk,' may receive severe blows apparently without the least pain, and when in this state is much more tenacious of life, than when in the natural state. I accordingly resolved to try the experiment of inhaling an exhilarating gas, myself, for the purpose of having a tooth extracted. I then obtained some nitrous oxide gas, and

*The Hon. James Dixon, then a member of Congress, from Connecticut, who was summoned before a commission to testify relative to this point, stated that Dr. Wells had requested his assistance, and had promised to furnish him with certain evidence of his claims, but that he went to Europe without furnishing it.

requested Dr. J. M. Riggs to perform the operation, at the moment when I should give the signal, resolving to have the tooth extracted before losing all consciousness. This experiment proved to be perfectly successful; it was attended with no pain whatever. I then performed the same operation on twelve or fifteen others, with the same results,

"I was so much elated with the discovery, that I started immediately for Boston, resolving to give it into the hands of proper persons, without expecting to derive any pecuniary benefit therefrom. I called on Drs. Warren and Hayward, and made known to them the result of the experiments I had made. They appeared to be interested in the matter, and treated me with much kindness and attention I was invited by Dr. Warren to address the medical class upon the subject, at the close of this lecture.

"I accordingly embraced the opportunity, and took occasion to remark, *that the same result would be produced, let the nervous system be excited by any means whatever.* That I had made use of nitrous oxide gas, or protoxde of nitrogen, as being the *most harmless. I was then invited to administer it to one of the patients, who was expected to have a limb amputated.*

"I remained some two or three days in Boston for this purpose, but the patient decided not to have the operation performed at that time. It was then proposed that I should administer it to an individual, for the purpose of extracting a tooth. Accordingly, a large number of students, with several physicians, met to see the operation performed—one of their number to be the patient. Unfortunately for the experiment, the gas bag was by mistake withdrawn much too soon, and he was but partialiy under its influence, when the tooth was extracted. He testified that he experienced some pain, but not as much as usually attends the operation; as there was no other patient present, that the experiment might be repeated, and *as several expressed their opinion that it was a humbug affair (which, in fact, was all the thanks I got for this gratuitous service)*, I accordingly left the next morning for home. *While in Boston, I conversed with Drs. Charles T. Jackson and W. T. G. Morton upon the subject, both of whom admitted it to be entirely new to them. Dr. Jackson expressed much surprise that severe operations could be performed without pain*, and these are the individuals who claim to be the inventors.

"When I commenced giving the gas, I noticed one very remarkable circumstance attending it, which was that those who sat down resolving to have an operation performed under its influence, had no disposition to exert the muscular system in the least, but would remain partially asleep. Whereas, if the same individuals were to inhale the gas under any other circumstances, it would seem impossible to restrain them from over exertion.

"I would here remark, that when I was deciding what exhilarating agent to use for this purpose *it immediately occurred to me* that it would be best to use nitrous oxide gas, or *sulphuric ether.* I advised with Dr. Marcy, of this city, and by his advice I continued to use the former, as being the least likely to do injury, although it was attended with some trouble in its prep-

aration. *If Drs. Jackson and Morton claim that they use something else, I reply that it is the same in principle, if not in name*, and they cannot use anything which will produce more satisfactory results, and I made these results known to both of these individuals, more than a year since.

"After making the above statement of facts, I leave it for the public to decide to whom belongs the honor of the discovery.

"Yours, truly,

"HORACE WELLS, *Surgeon Dentist*."

This was the bombshell which, pitched into the enemy's camp, was expected to destroy them both, and leave the field as clear as noonday for the exposition of his claim. As soon as fired he stopped all further aggressions, sat down and wrote to Dr. Morton, that, though having publicly claimed the discovery of the principle of anæsthesia, he is "willing you [Dr. Morton] should be rewarded for your perseverance in its introduction to general use," and gently departed on his mission for gain. Let us examine this missive somewhat in detail, and see how much value it possesses, as a statement of a claim, and how well it is supported by concomitant evidence.

In the first place, it will be noticed that the whole of the letter is upon his experiments with the nitrous oxide gas; that but once is the word ether employed in it, and then to condemn it, and that no mention whatever is made of its use in practice. Now no one has ever pretended to deny that he did employ the nitrous oxide gas, to produce an insensibility to pain; Dr. Morton has himself expressly stated that it was at the instigation of Dr. Wells that the trial was made before the class and that he conversed with him on the possibility of this state being produced by the gas.

It is conceded, therefore, that Mr. Wells endeavored to discover, and experimented with the idea of discovering, something by which teeth could be extracted without suffering. He asserts that he succeeded in 1844 with nitrous oxide gas, and that the discovery was then made. This is denied by others, and subsequent experiments and use have shown the fallacy. Here, therefore, is the whole issue. It is not denied by those who have employed it that a species of anæsthesia can be produced by the inhalation of nitrous oxide gas, or that it has not been done, for the same

effect can be produced by the administration of many other well-known substances; but it is contended that this state cannot be caused by the agent safely, effectually, within the control of every operator, on every person, or with a perfect similarity in each case, that is, that it fills none of the indications demanded from a satisfactory and reliable anæsthetic.

Dr. Wells says that the idea of this came to him by "*reasoning from analogy*," but he makes no mention of the fact that Sir Humphrey Davy, as before quoted, had suggested the same idea years before.* Moreover, it is somewhat difficult to see the analogy between the condition of being *dead drunk*, caused by alcohol, and that state of temporary excitement which was then the general effect which the "laughing gas" was known to cause. The excitement of passion, or the first stage of exhilaration from alcoholic inebriation, are more like it; but then they but in a small degree benumb the feeling. If, however, he had, from this process of reasoning, arrived at the conclusion that, pushed far enough, the gas could benumb sensibility entirely, he would deserve a degree of credit to be awarded every thinking, reasoning man. But even over this statement a large amount of doubt exists, and it is more than probable, from the deposition given below,† that even this analytical process was saved him by the act of a friend, and that this original idea was wholly the suggestion of another

* "The question then presents itself, who first revived the experiments of Beddoes and Davy, and brought the measure into general use? I use the word 'revived,' because I hold that no experiment of verification performed by another can deprive him who first suggested the induction, and presented the process of verification, of the honor of original discovery. This position is sustained by the highest authorities in inductive science, and by numerous precedents."—*By Letter from* Prof. THOMAS D. MUTTER, *of Philadelphia, to* Hon. TRUMAN SMITH.

† STATE OF CONNECTICUT, }
County of Hartford. }

I, Samuel A. Cooley, a citizen of Hartford, county of Hartford, State of Connecticut, depose and say, that on the evening of the 10th day of December, *in the year* 1844, that one C. Q. Colton gave a public exhibition in the Union Hall, in the said city of Hartford, to show the effect produced upon the human system, by the inhaling of nitrous oxide, or laughing gas; and in accordance with the request of several gentlemen, the said Colton

Dr. Wells states, that he succeeded in twelve or fifteen cases—and yet at his public trial in Boston, he completely failed; and failure has resulted in nearly every instance since, from its use. It was therefore abandoned.

Dr. Cooley, in his sworn testimony, says: "subsequent to the ether discovery in 1846, a faint effort was made by Dr. Wells and a few of his professional friends in Hartford, to revive the use of *nitrous oxide* as an anæsthetic agent—to extend its use and make it a rival to *sulphuric ether*—evidently with the hope of being able to connect subsequent experiments, if they could make them successful, with the past which so far failed that they were abandoned, and of the two to make out *the first available discovery.*" Dr. Cooley in answer to interrogatories, says:

did give a private exhibition on the morning of December 11th, 1844, at the said hall; and that the deponent then inhaled a portion of said nitrous oxide gas, to ascertain its peculiar effect upon his system; and that there were present at that time, the said Colton, *Horace Wells*, C. F. Colton, Benjamin Moulton, and several other gentlemen, to the deponent at this time unknown; and that the said deponent, while under the influence of the said gas, did run against and throw down several of the settees in said hall thereby throwing himself down, and causing several severe bruises upon his knees, and other parts of his person; and that after the peculiar influence of said gas had subsided, his friends then present asked if he had not injured himself, and then directed his attention to the acts which he had committed unconsciously while under the operation of said gas. He then found by examination that his knees were severely injured; *and he then exposed his knees to those present*, and found that the skin was severely abrased and broken; and that the deponent then remarked, "that he believed that a person might get into a fight with several persons and not know when he was hurt, so unconscious was a person of pain while under the influence of the said gas" and the said deponent further remarked, "*that he believed that if a person could be restrained, that he could undergo a severe surgical operation, without feeling any pain at the time.*" *Dr. Wells then remarked*, "*that he believed that a person could have a tooth extracted while under its influence and not feel any pain;*" and the said Wells further remarked, "that he had a wisdom tooth that troubled him exceedingly, and that if the said C. Q. Colton would fill his bag with some of the gas, he would go up to his office and try the experiment," which the said Colton did; and the said Wells, C. F. Colton, and C. Q. Colton, and your deponent, and others, at this time unknown to said deponent, proceeded to the office of said Wells; and that said Wells there inhaled the gas, and a tooth was extracted by Dr. Riggs, a dentist then present.

"*Ques.* You say, moreover, that you administered gas when requested so to do by surgeons and dentists; was not this subsequent to the ether discovery?

"*Ans.* 8. Yes, it was after the ether discovery, in 1846, that I administered the gas for surgeons and dentists—there then being an attempt, by us all, to renew the experiments, as the public and ourselves had lost confidence, and doubted the practicability of the thing, until the successful introduction of ether."

Equally unsuccessful was his endeavor to reconnect his name with the discovery, by his experiments in other cities besides Hartford and Boston. The following letter from Dr. Van Buren, throws considerable light on the subject:

"NEW-YORK, *October* 1*st*, 1858.

"I recollect distinctly having been present in the operating theatre of the New-York Hospital, in 1847, to witness an operation by the late Dr. John Kearny Rodgers. Dr. Horace Wells was present, and administered nitrous oxide gas to the patient, with the object of producing insensibility to the pain of the operation, but the attempt was unsuccessful, as the patient seemed to suffer about as much pain as might have been anticipated under ordinary circumstances. A large number of surgeons and physicians were present, among whom was Dr. Valentine Mott, and other prominent members of the profession.

"As the supply of the supposed anæsthetic agent was apparently ample, judging from the large size of the bags containing it, and its administration conducted fairly and fully, the general impression upon the spectators seemed to me, to be decidedly unfavorable, as to its power of producing insensibility to pain.

"WM. H. VAN BUREN, M. D."

His own testimony a little further on in the same letter, most curiously and completely upsets his claim to perfect success in the use of the agent. He writes that he notices that those "who sat down resolving to have an operation performed under its influence" kept perfectly quiet, but that if they "were to inhale it under any other circumstances" it was almost impossible to restrain them. The plain English of which is, that if a person has *made up his mind* to have a tooth extracted, an additional fillip is given to the determination by the extra stimulus given the spirits by this exciting gas, precisely as the "Dutch courage" follows from a dram or two of liquor. But that if the gas he

inhaled for amusement it exhilarates and partially intoxicates in the same manner, as if a certain amount of champagne or other liquor had been taken, and as the mind depressed by no fear has no need to be fortified, the exhilaration must work itself off by some physical manifestation.

Is this, however, at all like the effect of ether or chloroform? Does it make the slightest difference as regards their action, whether the person exerts the will or not, or is even conscious that they are being given? Can the amount of "physical exertion" be increased or diminished by any effort of the mind, when the system is getting under the full influence of the agent? The use of anæsthetics to subdue the violent struggles of maniacal patients, is common, as also to overcome the violence of strong persons who cannot be managed in any other way. The incident which occurred during the past few months in one of the jails in the West, furnished an admirable case for the use of anæsthesia for this purpose, when a desperate ruffian, having wounded and bound his keeper in his cell, closed and bolted his door, and threatened his victim with instant death, if any one approached to rescue him, and unless a free pardon was guarantied him. Several days were passed before an opportunity could be had of shooting the prisoner, during all which time the unfortunate keeper endured the most agonizing tortures from fear and hunger. At last, when a careless movement on the part of the prisoner permitted him to be wounded and secured, it was only after the villain had stabbed in a dozen places the keeper, who was endeavoring to escape. If a large amount of chloroform had been thrown by syringes or in any way into the cell, and the vapor had been gradually diffused, no power on the part of the prisoner could have prevented his coming under its influence, and his subsequent capture. No better proof is needed of the nonsuccess of Dr. Wells, than his own statement of the action of his agent.

He states that he chose the nitrous oxide gas as being *more harmless* than ether. But how did he know this without a long and varied course of experimentation, of which he says nothing, and of his having done which no proof whatever exists. That he had ever used sulphuric ether is completely negatived by the tes-

timony of Dr. George Hayward,* (whose word is beyond a doubt) before the commission to receive testimony *in perpetuam*, who stated: "He called at my house *after his return from France;* after we had begun to use the ether as an anæsthetic. There was no one present but Dr. Wells and myself. It was in my study; I then asked him *if he had ever used sulphuric ether by inhalation*, so as to render any one insensible to pain, and performed any surgical operation on the individual while in that state. *His answer was, that he had not.*"

The trial at Boston he allows was a failure, but states that both Morton and Jackson were struck with this novelty, and that the latter especially "expressed much surprise that severe operations could be performed without pain." Now how was he to know that they could be performed, when none ever had been, and how could Dr. Wells inform any one of the possibility when he had never performed any, or heard of any one else who had succeeded, and moreover, had just completely failed when the operation was by no means a severe one. The friends of Wells, feeling the importance of finding some pen-mark or publication of Wells' experiments previous to the announcement of Morton's discovery, have called attention to a communication, made in the Boston Medical and Surgical Journal, June 11th, 1845.

Now, on examining on this point, how completely fallacious this statement is found to be. In the journal of the date given is an article by Dr. P. W. Ellsworth, on the general action of the *stimuli*, with the title, "on the modus operandi of medicines." Through the whole of this article, not only Dr. Wells' name is *not mentioned*, but *no reference is even made to him;* it is simply a communication on the use of all and every kind of medicines which can in any way be considered stimulating. The only sentence which can in any way be distorted into a reference to the claim made by the friends of Dr. Wells, is in the following paragraph. After stating that opium and other narcotics be-

* A Surgeon in the Massachusetts General Hospital, Professor in the Harvard University, President of the Massachusetts Medical Society, &c., &c., &c.

numb the sensibility, the author mentions alcohol and the deadening effect which it can cause, and then wrote: "As an illustration of the effect of spirit in preventing pain, is the following case. Having occasion to remove nearly all the lower lip for a cancerous disease from an intemperate man, I found him well prepared for the operation, having fortified himself with an extra glass or two. No marble could have been more passive during the incisions; not a muscle moved, nor did a sigh escape him. Yet he was not intoxicated, but his nervous system was too much excited to feel as keenly as when in perfect sobriety. He only wondered that, as it hurt so little, he had never had it done before. *The nitrous oxide gas has been used in quite a number of cases by our dentists during the extraction of teeth, and has been found, by its excitement, to perfectly destroy pain. The patients appear very merry during the operation, and no unpleasant effects follow.*"

Such is the whole of this much-vaunted early statement, merely a vague reference by an uninterested relator, that a well-known agent had been employed by various persons in a manner that was afterward made known, and the use of which in that manner has never been denied. It is simply an early corroboration of the fact, that some one in Hartford used the nitrous oxide gas.

Dr. Marcy claims that he performed a surgical operation under the influence of ether in November, 1844. Desirous of eliciting "*the truth, the whole truth, and nothing but the truth*," Dr. Morton offered, through the medium of the "Hartford Courant," a reward of $100 to any one who would tell who the person operated upon was, or could give any information concerning it. Strenuous efforts were also made by the Honorable Horace Cornwall, afterward a lawyer of that city, to whom the business of searching was committed; from him the following letter, informing of his failure, was received:

"DEAR SIR: Since you announced in Hartford, last October, that you would give a reward of $100 to any one who would discover to you the young man from whose head Dr. E. E. Marcy extracted a tumor, under the influence of ether, mentioned by him in an affidavit, I have made very great efforts to find the individual alluded to by him. In the first place, I offered a reward of $50, then I offered $75, and after I offered the

same sum you did, $100. By offering the smaller sums, I thought I should as readily find the person, and save enough to pay me for my trouble.

"I inquired of all the physicians and surgeons in this city, that were here as far back as 1844, and of two former students of Dr. Marcy, one of which was with him about the time he claims to have performed the operation, and also of the citizens of Hartford and adjoining towns, and I *personally offered the reward of* $100 *to Dr. P. W. Ellsworth*, the agent of Mrs. Wells, if he would find the person and inform me who he was. *I likewise offered a like sum to the counsel of Mrs. Wells personally, and also to F. C. Goodrich, and many others of the friends of Mrs. Wells*, who, I supposed would be likely to know who the person was. But with all my efforts I have not been able to find any such person as is mentioned by Dr. Marcy, or any one on whom he operated under the influence of ether, previous to the time you perfected your discovery in 1846, nor any person who could give me any information as to who it was.

"Now I feel perfectly satisfied, from the efforts I have made, and caused to be made, that had any such operation been performed by Dr. Marcy, as he claims, I should have found the individual operated upon or have got some information with regard to him.

"I cannot believe, after this investigation, that any such person lives, or ever did live, or that any such operation was ever performed by Dr. Marcy, and I never can believe it till Dr. Marcy presents me the person operated upon.

"And I am strengthened in this unbelief by other things than my own investigation. I mean the same investigation made by others, and also to Dr. Marcy's two affidavits, which I have seen, and his statements published in the *Journal of Commerce*, and not until his last affidavit in 1849, do you find any statement from him that he ever performed a surgical operation under the influence of ether. Now for Dr. M. to say (as I understand he does) that he has forgotten the person, is nonsense to me, knowing Dr. M. as I do. He is not the man to have forgotten a fact so wonderful, nor the name of the person upon whom such operation was performed, for he thinks too much of anything that will add to his own glory, or pecuniary reward.

"Very respectfully,

"HORACE CORNWALL.

"Dr. MORTON."

It was singular that this person could not be found, particularly as his presence or testimony would have done so much to settle the claim in favor of Dr. Wells. If some one did not *lie*—under a mistake—it must have been the first operation ever performed under the influence of ether, and yet all trace, record—

even the name or address of the man—has been obliterated, and that too in the short space of two years.

Shortly after the arrival of Dr. Wells at Paris, Dr. Brewster, for so many years a well-known dentist there, sent for Dr. Wells, begging him to call upon him, and in the course of the conversation which ensued, inquired of him concerning the "ether discovery," the news of which had crossed the Atlantic, and was then making a prodigious sensation. Dr. Wells, in reply, related his own experiments, and claimed the honor of the discovery. This excited the surprise and interest of Dr. Brewster, who asked him for his proofs, and something to authenticate the fact. Dr. Wells frankly acknowledged that he had brought none, a concession which excited the astonishment of the imperial dentist to such a degree, that in a letter written by him, March 1st, 1847, and published in the Boston *Transcript*, March 20th, he exclaimed: "Imagine to yourselves, Messrs. Editors, a man to have made this *more than brilliant discovery*, visiting Europe without bringing with him the proofs."

By Dr. Brewster he was advised according to the testimony of S. S. Bolles, Esq., "to hurry home, and get up his evidence, and forward it to him, and he would present his claims." Dr. Wells, on his return home, stated (same testimony) "that he was introduced in Paris by Dr. Brewster, and great notice was taken of him, and he was made the great lion of the day. That he thought Dr. Brewster would be able to get him something handsome from the different medical societies there."

Flattered by these attentions, he returned to America in March, 1847, and applied himself vigorously to the collection of testimony in support of his claim. All the testimony and affidavits given in his "History of the Discovery" (a duodecimo pamphlet of twenty-five pages), bear date from the 23d to the 29th of that same month.

Before leaving Paris, however, he published an article dated Feb. 17th, 1847, in *Galignani's Messenger*, reporting some of his experiments, maintaining his claim to the discovery, and giving directions for the use of anæsthetic agents. It is astonishing, as one looks at this piece, to see how as he pondered over

the discovery, his right seemed more and more apparent to his eyes—and how conclusive it apparently then appeared to him that he *must have been the one to make it.* He even in it goes so far as to say that as he shall remain in Paris until the 27th inst., he will impart such information as may be necessary to explain any phenomena connected with the subject. And yet to show the complete ignorance which he had of the subject, and the use of the agent, among the instructions given by him, is the following rule: "The less atmospheric air admitted into the lungs with gas or vapor the better—the more satisfactory will be the result of the operation." A direction which if rigidly followed would be almost sure to cause asphyxia, and the death of the patient.

In this same communication the number of cases in which he had given it had increased after the manner of the men in buckram to fifty—whereas in his first publication, and in his "History of the Discovery," subsequently issued, he puts down the number at twelve or fifteen.

But probably the most complete and convincing proof which can be given of the non-validity of the claim of Dr. Wells is given by the following letter from him, which on its face so plainly bears the impress of truth, and shows so clearly where the true credit of the discovery should lie, that it is strange that this one letter alone should not have settled the claim—aside from the fact of the many corroborating evidences. As soon as the proclamation of the discovery had gone forth to the world, and it had become the topic of general conversation, Dr. Morton wrote to Dr. Wells a letter informing him of the discovery he had made, and asked him to come to Boston and help to introduce it.

From such a communication what should we naturally anticipate as a reply, on the assumption that Dr. Wells had already made the discovery? Certainly, that he would either assert his own claim openly, show some amount of indignation at Dr. Morton for "stealing his thunder," or evidence some curiosity to discover what the agent used was, and how nearly it assimilated to what he had *long before used, sulphuric ether.*

But he did none of these, but simply sat down, and with the

air of a man who sees a good speculation in the future, and a "*bonne affaire*" for himself, penned the following reply:

"HARTFORD, *Connecticut, October 20th*, 1846.

"DR. MORTON—*Dear Sir:*

"Your letter, dated yesterday is just received, and I hasten to answer it, for fear you will adopt a method in disposing of your rights, which will defeat your object. Before you make any arrangements whatever, I wish to see you. I think I will be in Boston the first of next week, probably Monday night. If the operation of administering the gas is not attended with too much trouble, and will produce the effect you state, it will undoubtedly be a fortune to you, provided it is rightly managed.

"Yours, in haste,

"H. WELLS."

Here, not a word is said of a prior discovery, not a particle of dissatisfaction. So far from it, he evidently considered the fortune of Dr. Morton made, showed solicitude lest it should be sacrificed by mismanagement, and influenced by self-interest and friendship, actually hurried to Boston, to prevent such a calamity. With this purpose he did see Dr. Morton—but neither before him, nor before others, did he exhibit indignation, or hint at his own claim and peculiar position. The following letter shows how he appeared to others, at this to him, most momentous time:

"BOSTON, *February 17th*, 1847.

"R. H. DANA, ESQ.—*Dear Sir:*

"In reply to your note of this morning, I have to state, that about the time I was engaged in preparing the papers for the procural of the patent in the United States, on the discovery of Dr. Morton for preventing pain in surgical operations, by the inhalation of the vapor of sulphuric ether, I was requested by Dr. Morton to call at his office, to have an interview with the late Dr. Wells, who was then on a visit to this city, and who Dr. Morton thought, might be able to render him valuable advice and assistance, in regard to the mode of disposing of privileges to use the discovery. Accordingly, I had an interview with Dr. Wells. During such meeting, we conversed freely on the discovery, and in relation to the experiments Dr. Wells had been witness to in the office of Dr. Morton. The details of our conversation I do not recollect sufficiently to attempt to relate them; but the whole of it, and the manner of Dr. Wells at the time, led me in no respect, to any suspicion that he (Dr. Wells) had ever before been aware of the then discovered effect of ether in annulling pain during a surgical operation. Dr. Wells doubted the ability of Dr. Morton to

procure a patent—not on the ground that he (Dr. Morton,) was not the first and original discoverer, but that he (Dr. Wells) believed, the discovery was not a legal subject for a patent. He advised him, however, to make application for one, and to dispose of as many licenses as he could, while such application might be pending; in fact, to make as much money out of the discovery as he could, while the excitement in regard to it might last. I must confess, that when some time time afterward, I heard of the pretensions of Dr, Wells to be considered the discoverer of the afore-mentioned effect of ether, I was struck with great surprise, for his whole conversation with me, at the time of our interview, led me to the belief that he fully and entirely recognized the discovery to have been made by Dr. Morton, or at least partly by him, and partly by Dr. C. T. Jackson, as I then supposed.

"Respectfully, yours,

"R. H. EDDY."

The claim of Dr. Wells, however, is not based either by himself, or by his friends after death, upon a discovery, made by him, that *ether would produce a complete anæsthesia, but that some agent would.* To use his own words: "This discovery does not consist in the use of any one specific gas or vapor, for anything which will cause a certain degree of nervous excitement, is all that is required to render the system insensible to pain; consequently, the only question to be settled is, which exhilarating agent is least likely to do harm? I have confined myself to the use of nitrous oxide gas, because I became fully satisfied from the first, that it is less injurious to the system than ether." The same argument is used by Dr. Marcy, who says: "The man who first discovered the fact that the inhalation of a gaseous substance would render the body insensible to pain, under surgical operations, should be entitled to all the credit or emolument which may accrue from the use of any substances of this nature. This is the *principle*—this is the *fact*—this is the *discovery.* The mere substitution of ether vapor, or any other article, for gas, no more entitles one to the claim of a discovery, than the substitution of coal for wood, in generating steam, would entitle one to be called the discoverer of the powers of steam." A similar train of reasoning, as is shown by the pamphlet of the Hon. Truman Smith, has been indulged in by many other eminent gentlemen; some of these,

however, it is worthy of note, have since seen fit to alter their opinions. The argument would, to a certain extent, be logical and conclusive, if the results of the experiments made by Dr. Wells, with the nitrous oxide, had been perfectly "safe and effectual," but, as has been shown, they were not. Moreover it is shown, by a large amount of testimony collected, that it was not considered as a success by Dr. Wells, himself. Some of this evidence comes from his own side; for instance, Dr. Ellsworth wrote, "the experiment first attempted partially failed, and no one seeming willing to lend him a helping hand, he ceased making any further personal efforts." Dr. Samuel A. Cooley testified: "I know of Dr. Wells going to Boston soon after the noise in the papers of the discovery of the effects of ether by you, in 1846, and had a conversation with him on his return, about your discovery. He made no claim to me of the discovery being his, but, on the contrary, expressed regrets that we had not continued our experiments to a successful termination."

Also by the testimony of Howell Olmstead, jr., who was engaged in disposing of rights of sale, for the patent shower baths of Dr. Wells, who says: "I considered that he had abandoned the thing entirely, as he expressed himself to me; that the operation in some cases proved a perfect failure, and spoke of his unsuccessful trial in Boston, in 1845. He expressed himself as being very sorry that he had not prosecuted his experiments to a successful termination; and he also regretted stopping the matter where he did, for he thought an immense fortune might be made of the business, and that the discovery would reflect great honor upon the discoverer."

The same is substantiated by other testimony; even by that of Dr. Marcy himself, who was so convinced of the danger of nitrous oxide gas, that he looked upon any "stimulant which acts upon the system in such a manner, as to render the body insensible to external impressions, as decidedly unsafe, and that in no given case can we be certain that it will not cause congestion of the brain and lungs."

But the best proof of its inefficiency, is the result of every trial which has been made with it subsequently; several of which

cases, in addition to those tried by Dr. Wells, in New-York, as before narrated, are now before me.

So desirous was Dr. Morton of showing this fact, that on one occasion, when the subject was before a Congressional Committee, and his claim was opposed, and the virtues of ether condemned, he submitted to that body the following fair and impartial proposition :

NATIONAL HOTEL, WASHINGTON, *January* 18, 1853.

"DEAR SIR : The subject of the discovery of anæsthesia being now before a committee of which you are chairman, I beg leave to submit to you, and through you to a committee, a proposition.

"One of those who contest my right to the discovery, does so on the ground that anæsthesia had been discovered by Dr. Wells prior to my alleged discovery ; and that the anæsthetic agent used in the discovery by Dr. Wells was nitrous oxide gas. Now, if anæsthesia, for surgical purposes, was ever discovered through nitrous oxide gas as the agent, that agent, for the same purposes, will still manifest is efficiency. I deny that such a discovery, by means of said agent, ever was made, or that said agent possesses available anæsthetic properties alone for surgical operations. At the same time, I assert and claim that anæsthesia was first discovered by me, through the agency of sulphuric ether. Therefore, to prove that nitrous oxide never was discovered to be an available anæsthetic agent in surgical operations, and that it is not such now—and to prove also that sulphuric ether was discovered to be an available anæsthetic agent for such purposes, and is so now—I propose that an actual demonstration shall be made before the committee of the two agents, in such surgical operation or operations as are considered fair tests by scientific men, at such time as the committee may direct, and patients obtained.

"Yours, very truly,

"W. T. G. MORTON, M. D.

"HON. J. P. WALKER, *Chairman, &c.*"

This offer was accepted by the committee, who selected Dr. May, one of the members, to conduct the demonstration. Apprehensive that it might be said that the nitrous oxide gas could not be procured, Dr. Morton caused it to be manufactured by Dr. Kidwell (a competent chemist recommended by a professor of Columbia College); and further to satisfy Dr. May of its purity, he administered it to several persons on the evening of January 27th, in his presence, and that of several Senators.

The demonstration came off on the 28th, at the Washington

Infirmary, where Dr. Morton had a patient and the nitrous oxide gas in readiness. Dr. May was urged by the chairman of the committee to use the nitrous oxide. He refused peremptorily. He had also been requested to do so by Mr. Truman Smith, the member of Congress who supported the claim for the heirs of Dr. Wells, and had refused. Dr. Morton then proceeded, in presence of the committee, and of surgeons of the army and navy, and of the medical class, to administer ether. Complete etherization was produced, which continued through a dangerous and protracted surgical operation, lasting about three quarters of an hour.

As it seems to be very well proved that the experiments of Dr. Wells resulted in a most negative degree of success, and that he himself considered them so far a failure as to have abandoned them, and turned his attention to other pursuits, until after the successful application of ether to the same purpose by Dr. Morton had been published to the world, it is but fair to conclude that, after this abandonment, the field of discovery was left as free to the world as before, and that from all Dr. Wells had accomplished, humanity was as far from the great desideratum as ever. How, then, can it be argued, as has been done by some who have given their written opinions, and as is claimed by the friends of Dr. Wells to this day, that all the credit of the discovery is due to him as the maker of the original proposition, that some agent would be found to produce the anæsthetic state? If the sole merit rests with "the man who first discovered the fact that the inhalation of a gaseous substance would render the body insensible to pain," and this is restricted to nitrous oxide gas, why should we stop in the retrospection with Dr. Wells? Why should not the honor be taken from this country and given to England, to Davy, who so long before had ascertained the same thing? Or, following the reasoning of Professor Mütter, why should we confine ourselves to *gaseous substances*, and not go back to the time when any substance was suggested as being able to produce the same effect? If no "experiment of verification performed by another can deprive him who first suggested the induction," and if "the whole merit of the recent discoveries on this subject

consists in finding out that there is in nature *an agent* that will produce this effect, and then the application and use of analogous agents follows as a matter of course," then it would seem that even from Davy the merit must be taken, and the laurels awarded the Chinese, the Arabs, or the first users of opium or other narcotics. It may be asserted in reply, that none of the substances employed by them were *safe or effectual*, and did not fulfill the indications of proper anæsthetics. But then the same is asserted of nitrous oxide gas, and the same reasons exist for the substitution of ether and chloroform in its place which are urged for nitrous oxide being substituted for narcotics. Up to the time of this discovery by Dr. Morton, narcotics were the only means relied upon by surgeons for benumbing sensibility; they had held their ground, in default of anything better, for over a thousand years; other measures had been tried, among which was nitrous oxide, but all had failed to satisfy. The ground, therefore, was clear, and the transition from the uncertain and dangerous use of narcotics to the *safe and effectual employment* of ether, was abrupt.

Some of the friends of Dr. Wells, who are willing to acknowledge, from the convincing nature of the proofs, that he was not the discoverer, derive a degree of consolation from the assumption, that if he had used ether instead of the gas, that his courage and perseverance would have produced a satisfactory accomplishment. It is a harmless belief, and certainly carries with it a great degree of probability. But unluckily, he did *not* use the ether, and therefore accomplished *nothing*. He felt the necessity of some means of relieving pain, as many others had before him. He tried experiments, as many others had previously. He chose an agent which was powerless and unmanageable, from a reference made many years before. He pushed his experimentation boldly, but failed; and at the time of that failure, pain was no nearer being abolished than it had been in the days of Davy. Let a due degree of credit be given Dr. Wells for his ingenuity and courage, but no more.

Indirectly his trials conduced to the discovery; but such has been the case in every great invention or discovery. Errors,

false conjectures, and wild and ridiculous trials, must exist, before the true goal can be reached; but each attempt and consequent failure is one more step toward the wished-for end. Search puts the true discoverer so much nearer the period of his success. Dr. Whewell, in his History of the Inductive Sciences, makes the following pertinent remarks upon this subject: "Real discoveries are thus mixed with baseless assumptions; profound sagacity is combined with fanciful conjecture; not rarely, or in peculiar instances, but commonly, and in most cases; to try wrong guesses is apparently the only way to hit upon right ones."

But, say the friends of Dr. Wells, he did succeed in some cases; it is claimed that under the administration of the gas some patients were rendered so far insensible that teeth were extracted without their cognizance. Davy merely suggested that it might be done, and the simple supposition on his part would have remained without fruits, had not the experiment of verification been made by Dr. Wells. Davy, they allow, deserves the credit of a vivid imagination, but Dr. Wells was the first who practically applied the agent, verified the effects, and his therefore is the discovery. But even this admits of argument. Why should we say that Dr. Wells was the person merely because he, under the influence of the gas, was the first person to have a tooth extracted? In advance of him, Mr. Cooley had inhaled and produced the same effect on his own person. He, by the injuries done his own body, when unconscious, had previously solved the question. He it was who made the discovery, when, on emerging, he remarked that "he believed a person could undergo a severe surgical operation, without feeling any pain at the time." To be sure, then, the remark of Dr. Wells followed, "that a person could have a tooth extracted while under its influence, and not experience any pain;" but then this operation referred to is merely one out of the general class of operations, and possesses no more weight than if any one had suggested the amputation of a finger instead of a thumb. In the operation of the extraction which followed, as suggested by Dr. Wells, he occupied the position of the patient. Mr. Cooley, who had made the "*original* induction," was present as the discoverer, or at least joint discoverer, and by the rule, *qui facit*

per alium facit per se, is as much entitled to the credit of originality in this experiment as if he had been seated in the chair in the place of Dr. Wells, for he had made the original proposition, then being exemplified on the person of Dr. Wells.

If the charge of "stealing another's thunder," laid at the door of Dr. Morton, is true, as having merely improved upon the discovery of Dr. Wells by substituting perhaps a better, but at the same time analogous agent, it seems hard to decide whence to draw the line, and why Dr. Wells should not also be included in the same category of plagiarists. If the substitution of a *fluid* which has proved perfectly satisfactory for the purposes designed for a *gas* which met none of the indications—is borrowing an idea—why should not the substitution of a *gas* for a *solid* (narcotics) have the same objections. The ridiculous argument of Dr. Marcy that Dr. Morton is no more entitled to the claim of a discoverer "than the man who substitutes coal for wood in generating steam," is almost beneath notice. What degree of similarity exists between the two cases? The choice made by Dr. Simpson of chloroform to replace ether is more analogous, because practical anæsthesia was nearly perfected at the time of his discovery, and he substituted for its generation one substance as preferable instead of another, but he does not claim to have discovered practical anæsthesia for having done so. But when the discovery was made by Dr. Morton, no such perfection existed, nothing like the anæsthesia of the present day existed. The case of the discoverer who first demonstrated the advantages of steam in locomotion, or in power over manual or animal labor, is a more proper comparison. Motion of bodies by traction has been known as far back as the records left us go. Attention has been constantly paid, generation after generation, to an increase of facility, in performing it; the improvement is great from the ancient chariot to the modern stage-coach, or car drawn by horses along rails; but the striking advance was made when the steam engine was substituted for the animal power.

If the claim to discovery must be confined to the first administration of gaseous substances, by what law of inductive reasoning can Mr. Hickman, who in 1828 declared he could

produce insensibility by the "introduction of gaseous substances into the lungs," be deprived of the honor. What if he did use carbonic acid gas, and, as is asserted, ultimately failed, the fact according to the Wells method of argument must remain, that as he first suggested the employment of a gaseous substance to produce anæsthesia, he then made the discovery, and Dr. Wells by afterward "substituting an analogous agent," should be accused of "impudently pretending to have discovered the same thing."

Although the value of the gas as an anæsthetic agent has been entirely disproved, still a due regard should be paid to the value of what Dr. Wells did accomplish. As to Sir Humphrey Davy belongs the credit of having first suggested the possibility of the agents being used to relieve pain, and had even proposed its use in surgical operations, in an equal or greater amount, should this credit be given to Horace Wells for having made the next grand step in the march toward that discovery which was to abolish pain, for he submitted to a test the idea emitted by Davy. He actually administered nitrous oxide acid gas for the purpose of extracting teeth, which the latter had not the courage to employ; and "it is for that act that the name of the Hartford dentist should be inscribed immediately after Davy's in the list of men who have assisted in the grand discovery of etherization."*

The miserable death of Dr. Wells, which took place in 1848, has been made a ground for censure against the other claimants, as if, having been robbed of all that would make his life desirable, he had been driven by disappointment to put an end to his days. A degree of romance has been thrown around his claim by the fact of his suicide, as is evidenced by the following paragraph taken from a French work: "During the time that the whole of Europe saluted with well-merited acclamations the names of Jackson and Morton, one of the principal authors of the discovery, Dr. Wells, died by his own hand in the United States. A more complete scientific education, and a more favorable conjunction of circumstances, were all that were wanting to this poor man to conduct him to the accomplishment of that great result, the indications of which then existed in his

* Louis Figuier.

mind. After passing a portion of the winter of 1847 at Paris, devoured by misery and grief, he returned to the United States, where he ended his days. The character of his death was deeply wretched. Having placed himself in a bath, he opened a vein, and, in order to prevent the anguish of his last moments, he respired ether until the end of his agony had come. His death passed unnoticed, and not one regret or one tear fell upon his tomb. But posterity will be less ungrateful; she will preserve a souvenir of remembrance and pity for this obscure and unhappy young man, who, after having contributed to the enriching of humanity with an eternal blessing, died ignored in a corner of the New World."

But no portion of this story existed in truth; he did commit suicide, but only to escape the suspicion of having done wrong. The cause of the rash act was far removed from this discovery, and no one of the two claimants can be charged even with a suspicion of having, in a remote way, induced its commission.

Of this story, the Congressional Report speaks in the following terms: "Dr. Wells, we are informed, 'perished by his own hand, in a paroxysm of insanity, induced, as many of his friends believe, by the excitement and irritation of this controversy with Morton!' Now files of the New-York papers show that the unfortunate man committed suicide in a prison cell, to which he had been committed for throwing vitrol upon the daughters of shame, in Broadway. Yet his death is now, unhesitatingly, laid at the door of Dr. Morton, with an envenomed effrontery, rarely witnessed, which has invited this statement of unfortunate truths. The writer has entirely lost sight of the truth in attempts to invest his arguments with suspicious strength, derived from an unhallowed alliance with slanderous invective."

That even at this late date, notwithstanding its preposterous and unsupportable character, the belief still exists in the minds of many that Dr. Wells made the discovery; and that there are some who still try to foster this belief, is proved by the following extract, cut from the New-York Tribune, of August 2d, 1858. How correct the claim is, and from what disinterested motive,

it was written, the reader will perceive by the perusal of these succeeding chapters.

"THE INVENTION OF ANÆSTHETICS.

"TO THE EDITOR OF THE NEW-YORK TRIBUNE:

"*Sir*:—Circumstances have recently occurred, as I am informed, which make it proper for me to state that I was at the second session of the Thirty-second Congress, a member of a Select Committee raised in the Senate of the United States, which was charged with the duty of ascertaining and reporting on, who was the meritorous author or discoverer of the modern art called Anæsthesia, or the method of rendering the human system insensible to pain, under dental or surgical operations. There can be no doubt that to our country is due the high honor of having made a discovery so dear to humanity, and which has been received with so much eclat throughout the civilized world; and I now say, as the result of a full, careful, and, as I think, impartial investigation of the whole subject, that the credit should be accorded exclusively to the late Horace Wells, of Hartford, Conn., a dentist of great intelligence and respectability. He was nearly two years in advance of any other party. His discovery was announced immediately after it was made, and its value, by frequent trials, extending over many months, was fixed beyond dispute or doubt before any other claimant appeared. If the human or charitable desire to recognize this great boon to humanity, I would point to the widow and child of Dr. Wells, residing at Hartford, as the proper objects of their benefactions.

"TRUMAN SMITH.

"NEW-YORK, *July 30th*, 1858."

A few days after the appearance of this piece, a "circular," dated New-York, August 3, 1858, and signed by Truman Smith, was distributed over the city, directed to nearly all the physicians, which contained all that had been printed in the *Tribune*, and also the following addition: "It was just as notorious at Hartford in the fall of 1844, and during the year 1845, that Dr Wells had made this great discovery, and was, with his brethren in the dental art, using it in his practice, as that the State House stood on the public square; and yet a certain party who was at one time the pupil and partner of Dr. Wells, now impudently pretends to have discovered substantially the same thing in the fall of 1846. The evidence on this subject has been once printed and published,* but received a very limited circulation. It

* This is not a minority report, nor does it possess the slightest official value, as it is merely the gratuitous and sole opinion of a man who has

is full and conclusive, and will soon be republished.* All who hate imposition, and desire to recognize true merit, are respectfully requested to await the appearance of these proofs, to the end that they may have all the facts before them, and be enabled to form an enlightened judgment in the premises. The lips of Dr. Wells have long since been silenced in death. Were the fact otherwise, it is doubtful whether the adverse pretensions would have appeared (though it may be difficult to set bounds to the audacity of some persons). However this may be sustained by the venerated Bishop Brownell, and the equally venerated Ch. J. Williams, besides a host of other witnesses. I do not hesitate to point to the widow and child of Dr. Wells, now residing at Hartford, as being solely entitled to whatever benefactions the public may be pleased to accord to the author of this great boon to humanity."

seen fit to print what he believed. It has been distributed as if it was published with the sanction and cognizance of the committee, but this is not the case. On the rendition of the report of the committee, subsequent to the appearance of the pamphlet, the following remarks were added by the chairman: "While the question of anæsthesia, on the memorials of sundry persons, was under consideration by the Select Committee of the Senate, of which I was chairman, a paper entitled, '*An Examination of the Question of Anæsthesia*," prepared by the Hon. Truman Smith, a member of the committee, and having thus a *quasi*-official character, was printed and circulated among the Senate and House of Representatives; and as, in my opinion, that paper presents a one-sided and partial view of the question, such as might be expected of an advocate of easy faith in his client's cause, and strong indignation against all that oppose it, and consequently comes to a conclusion widely different from that which a calm and impartial consideration would warrant," &c.

* This document has since appeared. Its emission is supposed to have some connection with the following note to one of the Ten Governors:

"KNICKERBOCKER OFFICE, *Tuesday*, 10 *Oct.*

"MR. OLIVER:

"DEAR SIR: I hope for the credit of the Board of Ten Governors that the proposition to give G. W. T. Morton $1500 will not pass. I have not the slightest interest in the matter, except as a lover of justice; but there is no mistake of Morton's being a rogue who first pilfered another man's discovery, and is now imposing upon the country. A sharp fire in the rear is being prepared for him and his accomplices. Yours, truly,

"JAMES O. NOYES."

CHAPTER XII.

CONTROVERSY CONTINUED—A SUGGESTION.

"Then saith the king, The one saith, This is my son that liveth; and the other saith, Nay; but thy son is the dead, and my son is the living."—I. *Kings*, III., 23.

About a month after the discovery by Dr. Morton, in the case of Mr. Frost, as before stated, that the anæsthetic state could be produced by ether, and about a week after the successful trial at the hospital, Dr. Morton, one fine pleasant morning, received a call from Dr. Charles T. Jackson,* of Boston, a gentleman of large and varied scientific acquirements, whose geological surveys have given him deservedly a high reputation, and whose extensive chemical and mineralogical attainments rank him high in the files of eminent scholars.

He remarked that he had just looked in to see how all was progressing there, that he had heard it said that a large business was about to be built up, owing to the successful use of ether. He mentioned that he had been informed by Mr. Eddy (the patent solicitor) that a patent for the discovery was about to be taken out, from which a great deal of money would be made,

* The reader will be careful not to confuse the name of this person with that of the venerable *Dr. James Jackson*, now at the head of the medical profession in Boston, a gentleman with hosts of warm friends, who know and love him no less from his extensive professional experience than from his gentle, kindly heart, and almost paternal regard for the youthful aspirants who have commenced that trying and difficult career to which his life has been such an ornament. A letter of his, endorsing Dr. Morton's claim, is given on page 428. Nor yet with *Dr. J. B. S. Jackson*, the present eminent Professor of Pathology in Harvard University.

and as he had never before made any charge or received any recompense for the medical instruction he had rendered, he thought he must charge something, say $500 for it. Remarking immediately afterward that he had been disappointed in his receipts for that year, and was obliged to look a little more carefully to his money matters in consequence of it.

"As the patent will be exceedingly valuable to you, why," he added, "cannot a compensation be made from the receipts from that?"

To this demand, although it seemed rather exorbitant and a rough way of estimating it, Dr. Morton made no objection. He had received some equivalent, and had never been called upon to recompense it. So after acquiescing in the justice of Dr. Jackson's demand, it was agreed between them that if much was made by Dr. Morton from the patent, independent of his business, that he would pay Dr. Jackson ten per cent. on the net profits of the patents, provided it amounted to as much as $500. The conversation was short, and immediately after this they separated.

Such was the substance, if not the words, of that conversation which has subsequently exerted such an unfavorable and perplexing influence on the affairs of Dr. Morton. But in order to explain its importance, and why it took place, it will be necessary to revert a few years to events which had happened during that time.

When Morton, impressed with the desire of ultimately becoming a surgeon, had decided to commence a course of medical studies, he looked around among the medical men of the city to see who among them he should choose to record his name with as pupil, according to the rules prescribed in the college. From a slight acquaintance which he had with him, owing to a business transaction,* he ultimately decided upon Dr. Jackson.

Accordingly, on the 20th March, 1844, he entered his name with him as a student of medicine, and under his direction prosecuted his studies "with diligence and zeal," as is shown by the written testimony of Dr. Jackson himself.

* This was simply a certificate which he had purchased of Dr. Jackson, that an alloy used by him in the soldering of teeth was pure gold.

Immediately on Dr. Morton's marriage, which occurred in May, he went with his bride to reside at the house of Dr. Jackson, in order to employ his time to better advantage; this was in pursuance of an arrangement which had been made between them. There was about ten years' difference between the ages of the two men, but owing to the companionable and pleasant manner of Dr. Jackson, a strong friendship sprang up between them. This pleasant intercourse was enhanced by the friendship of the two wives.

But after a time, owing to a slight circumstance, Dr. Morton decided, that it was most expedient for him to leave the family. and reside by himself. This was brought about by his being occasionally rallied by Dr. Jackson, for being so constantly absent from dinner on Sunday, which he was compelled to, as he was then as now a communicant of the church, and sabbath-school teacher, in the exercise of which vocation, he was generally detained past the stated hour for the noon meal. Although this ridicule was sufficient to be disagreeable, it was by no means sufficient to lead to a rupture, for the esteem and friendship of the two men continued precisely as before, as is evidenced by the following note, which was sent to Dr. Morton, in return for a valuable present he had bestowed.

"MY DEAR SIR,

"Accept my warm thanks for the elegant traveling case you have had the kindness to present to me. It is really too handsome for use in our backwoods camps; but since it is your wish, that it should accompany me in my wanderings, I shall take it in memory of its donor.

"Your much obliged friend, and ob't servant,

"C. T. JACKSON.

"BOSTON, *May 13th*, 1845."

During the time that Morton was a resident in Dr. Jackson's family, he often in the relation of student and teacher, used to converse with him on his dental practice. Among other subjects he one day mentioned what a desideratum it was, that some way could be devised, by which the excessive pain caused by filling a tooth when the nerve was exposed could be obviated, perfectly and safely; as the arsenic and other agents then used, besides

being deleterious, often produced an irritation which left a persistent soreness.

"Dr. Jackson replied, in a humorous manner, that he should try some of his tooth-ache drops, and then proceeded to tell him, that at a time when he practised medicine, he occasionally extracted teeth for particular patients, and that in one instance, when a patient, who could not summon courage for the operation, asked him to apply something to alleviate the pain, he applied ether, and with success; for a few days afterward, a friend of this patient called to obtain some of the 'tooth-ache drops,' as he called them; but he, (Dr. Jackson) not wishing to be troubled with dental business, told him he had none. Dr. Jackson then added, that as this ether might be applied with advantage to sensitive teeth, he would send (Morton) some. The conversation then turned upon the effect of ether upon the system, and he told me how the students at Cambridge used to inhale sulphuric ether from their handkerchiefs, and that it intoxicated them, making them reel and stagger. He, however, gave no further intimation of the effect of ether, or of the manner of applying it."

"In a few days after this conversation, Dr. Jackson sent a bottle of chloric ether highly rectified, as he had offered." This was used in a case by direct application, that is, in the same manner that laudanum and other narcotics have always been applied to sensitive teeth, and with a fair degree of success.

It is a singular fact connected with this diversity of claims, that at this very time the *wife and aunt of Dr. Jackson* were under Dr. Morton's *care*, and in each case he found it necessary to extract teeth. To which operation both, owing to an unusual degree of sensitiveness, strongly objected, and the latter lady in particular remained for several hours in the operating chair unable to summon up a sufficient degree of courage, and begged to be mesmerized, or have something to prevent the pain. Now, although Dr. Jackson knew this, and used all his efforts to encourage her, he did nothing else, and offered no mode of producing any insensibility.

It was at this time that Morton began zealously to push his

inquiries, and as before stated went for his health into the country. Before going, he had provided himself from Dr. Jackson's and his own library with all the books on the subject he could procure, and from the perusal of these at his father-in-law's he was encouraged in the continuation of his experiments as before stated.

It will be remembered by the reader that after Dr. Morton had induced the young men, his assistants, to inhale the ether, he decided to employ an instrument, and for this purpose, consulted with Mr. Wightman. This gentleman had proposed to him to use an air-tight bag of oiled silk or India-rubber, but Dr. Morton had doubts of the latter material, from the fear that the ether might act upon and dissolve the rubber. In reply to Dr. Morton's question about this fact, Mr. Wightman replied, "He knew it would, because he had softened the common India-rubber flasks or bags, and then, by inflating them, produced large bags of rubber, extremely thin." Dr. Morton then inquired whether oil-silk bags could be used, to which the answer was given, that "he (Wightman) presumed they would not answer, but as he had no practical knowledge in relation to that matter, he advised him to call on Dr. Jackson, who could probably give him the necessary information."*

Finding that the glass globe, which he ultimately purchased, proved on trial too small, Dr. Morton decided to borrow of Dr. Jackson a gas bag, and at the same time, according to a suggestion of Dr. Hayden, "ascertain from him something about the different qualities and preparations of ether, with which chemists were always familiar."†

On reaching Dr. Jackson's, the following conversation took place, which is given in Dr. Morton's own words: "I asked Dr. Jackson for his gas bag. He told me it was in his house. I went for it, and returned through the laboratory. He said, in a laughing manner, 'Well, Doctor, you seem to be all equipped, minus the gas.' I replied, in the same manner, that perhaps there would be no need of having any gas, if the person who took it

* Sworn testimony of Mr. Wightman.

† Sworn testimony of Dr. Hayden.

could only be made to believe there was gas in it, and alluded to the story of the man who died from being made to believe that he was bleeding to death, there being in fact nothing but water trickling upon his leg; but I had no intention whatever of trying such a trick.* He smiled, and said that was a good story, but added, in a graver manner, that I had better not attempt such an experiment, lest I should be set down as a greater humbug than Wells was with his nitrous oxide gas. Seeing that here was an opportunity to open the subject, I said, in as careless a manner as I could assume, 'Why cannot I give the ether gas?' He said that I could do so, and spoke again of the students' taking it at Cambridge. He said the patient would be dull and stupefied, that I could do what I pleased with him, that he would not be able to help himself. Finding the subject open, I made the inquiries I wished as to the different kinds and preparations of ether. He told me something about the preparations, and thinking that if he had any it would be of the purest kind, I asked him to let me see his. He did so, but remarked that it had been standing for some time, and told me that I could got some highly rectified at Burnett's. As I was passing out, Dr. Jackson followed me to the door, and told me that he could recommend something better than the gas bag to administer ether with, and gave me a flask with a glass tube inserted in it."

The reason why Dr. Morton was not at this time more explicit, and did not fully confide his anticipated discovery, was "that he feared that Dr. Jackson might forestall him and guess what he was experimenting upon. He had made sacrifices and run risks for this object; he believed himself to be close upon it, and he feared that another, with better opportunities for experimenting, might avail himself of his hints and labors, and take the prize from his grasp."

With the ether he procured from Burnett's the first successful experiment was made upon himself, and also upon Mr. Frost, accounts of both of which have been before given.

* It is a singular fact, and quite corroborates Morton's statement, that Mr. Wightman testifies that he related this story to Morton when he recommended him to go to Jackson.

This was precisely the position of the two men, and of affairs between them, when the call was made on Dr. Morton by Dr. Jackson, the first one subsequent to this interview and the time when the discovery was made. His pleasant manner at this call, the recollection of their past intimacy and friendship, the real obligation which Dr. Morton was under to Dr. Jackson for his instruction when a student, and especially for the information which he had derived from him as regards the *qualities and properties* of the ether (that is, his recommendation to use highly-rectified ether, instead of the commercial,) which Dr. Morton to this day acknowledges and is grateful for—all conspired to render the visit pleasant, and induced Dr. Morton to accede at once to the demand which was made upon him.

Between the dates of the rendition by Mr. Eddy of his mature opinion that a patent could be procured, which was on the 21st of October, and the day on which this conversation was held, Mr. Eddy* had informed Dr. Morton that he had been informed by the family of Dr. Jackson, with whom he had long been on terms of great intimacy, that Dr. Jackson had some agency in the discovery, or was in some way connected with it. This Dr. Morton at once emphatically denied, but explained the character and amount of the advice which he had received from him, and how much of an obligation he lay under; adding that he had consulted Dr. Jackson as a chemist; and that the information he had received from him as regards the ether or its chemical properties did not by any means amount to what he had learned from Mr. Metcalfe or some others.

After the interview with Dr. Morton, Dr. Jackson called upon Mr. Eddy, and informed him of the private arrangements which had been made between them. The latter gentleman at once visited Dr. Morton, to ascertain the correctness of this information, and on being told of its truth, expressed much grat-

* Mr. Eddy himself says: "Dr. Jackson and I, during this period, were on very strong friendly terms. I entertained for him the purest feelings of amity, and was ever ready to do him, or the members of his family, any favor in my power. I have reason to believe, I had with him the position of a confidential and very intimate friend."

ification. He recommended to Dr. Morton, on account of the position of Dr. Jackson as a man of science, and the amount of assistance which his name and position would give, that he should be very liberal with him, and finally proposed, that instead of giving him only ten per cent. until the amount reached five hundred dollars, that an agreement should be inserted into the bond, requiring Dr. Morton to give him ten per cent. on the net profits from *sales of licenses;* or, as another plan, that on account of his own (Eddy's) professional services for advice, and for procuring a patent, and for conducting the general business under the patent, that all three should be interested, which, consequently, would save to Dr. Morton any care from the management of the business, and by influence of Dr. Jackson, and his own knowledge of the steps to be taken, to procure the patent, and dispose of the rights, that the whole would be made much more valuable.

To these propositions Dr. Morton at once most decidedly objected. He informed Mr. Eddy that he wished him to be well remunerated for his services and advice, and for it would give him one quarter of the net profits; but that he did not see why Dr. Jackson should have any share in it, as he already had the existing agreement with him to pay him to the amount of five hundred dollars for his advice, which was all Dr. Jackson demanded.

This suggestion was made by Mr. Eddy, out of friendship for Dr. Jackson, and his family, whom he wished to benefit. Immediately after he added, that "the patent would thus have the benefit of his name and skill, and a strong motive would be presented to him to give his attention to the preparation of ether of the best quality, and of apparatus best suited for its administration, and by so doing, we shall be able to keep and lead the march of improvement."

"An additional reason," he further added, "lies in the fact that should a suit be brought at any time as constantly occurs to persons who own patents, Dr. Jackson would probably be called as a witness, and his testimony as regards the advice he had given, might be seized as a handle to invalidate all claim to the discovery."

To this proposition Dr. Morton, influenced by these arguments, at length consented, little thinking in the pressure and hurry of the moment, of the importance of the step he was about to take, nor suspecting that Eddy's interest, and his friendship for Dr. Jackson,* which he was ignorant of, would influence him in his advice,† and being himself entirely ignorant of patent law, and the troubles and perplexities always connected with patented inventions, and the pretext which it gave to a designing and powerful man, to wrest from him the credit and recompense of the discovery.

But at this juncture, a new and unexpected difficulty was encountered. Dr. Jackson would not consent to such an arrangement, and flatly refused to be connected with it in such a way. Why? Was it because he desired a larger share in the honor of the discovery? Or was the sum which he expected from his share of ten per cent., insufficient to satisfy his cupidity? These two questions can be answered by the sworn testimony of Mr. Eddy himself as well as by that of several others, for on that very day Mr. Eddy "made inquiries as to the assistance he (Dr. Jackson) had rendered Dr. Morton, and whether he had ever tried any experiments to practically demonstrate the fact

* Mr. Eddy stated in his testimony, before the Commissioner at Boston, "That he was governed by a strong feeling of interest for Dr. Jackson, and moreover, that he was desirous of securing for him all the credit of being a joint discoverer he possibly could; that it was more what he supposed was a matter of policy with him, together with what he imagined to be true, and what he believed to be for the benefit of Dr. Jackson, that induced him to advise Dr. Morton to apply for the patents as he did, *viz.*, as the joint invention of himself and Dr. Jackson, and recollects Dr. Morton's appearance when he advised him to do so; that he demurred to it and said he did not see why Jackson should have anything to do with it; that Mr. Eddy possessed a desire to obtain for him as much credit and pecuniary advantage as he could consistently; that the funds would be likely to pass through his hands, in which case, he, as the friend of Dr. Jackson, should be pretty sure to watch over his interests."

† R. H. Dana, Jr., on completing the examination of Mr. Eddy, before the commission at Boston, wrote Dr. Morton as follows: "I consider all your troubles and present difficulties to have arisen from the mistaken advice of Mr. Eddy, to let in Dr. Jackson as a joint discoverer."

that the inhalation of ether would prevent pain during a surgical operation. He informed me that he had not. He likewise informed Mr. Eddy that he thought the whole matter of little value, that something might be realized from it by Dr. Morton, in his business, and was willing he should, provided he was not coupled with it; that as he had made an agreement with Dr. Morton for five hundred dollars, he was satisfied; that Dr. Morton might take out a patent if he desired it, and do what he pleased with it."

So it was not an expectation of a larger amount of money. It was not a fear that he should lose any part of the honor, for he was too fearful that a contrary state of affairs would ensue.

The real reason he, himself, has intimated, when he expressed to Dr. John C. Warren the fear that some one would be killed by it. Also when he told Mr. Burnett that, "he apprehended danger in the hands of those who used it; and that they would kill somebody with it." It was the same reason that caused the belief of Peleg W. Chandler, Esq., after a conversation with him, "that it was not a settled thing, or a discovery that was to be anything remarkable in itself, or one that was likely to be applied beneficially, in itself considered, but as rather opening the door to future investigation in that direction, that something might hereafter be discovered, that would stand the test of science and practical experiments. That Morton was a reckless, dare-devil fellow, and that he would kill somebody."

But the reason that he himself publicly stated, and the reply which he made to Mr. Eddy, was, "that by the laws of the Massachusetts' Medical Society, he would be prevented from joining with Dr. Morton in taking out a patent, as he would be liable to expulsion from the society, were he so to do." The laws of that society forbid any of its members dealing in or using any *secret remedies*, or *patented nostrums*, and although the wording of the law allows much latitude, and many medicines are used, which, by right, could be classed under the above heads without being considered an infringement, yet it is enforced as fully as it conveniently can be.*

* Testimony of Eddy, Gould, Burnett, and Chandler.

The solicitor endeavored to remove this objection, by calling upon Dr. A. A. Gould, who was then one of the censors of the society, and requesting him to carefully examine the law on the subject, and see whether it really applied to this case, and would render Dr. Jackson obnoxious if he acquiesced in having his name inserted in the demand for a patent.

After a careful examination, Dr. Gould gave it as his opinion, that the law prohibited the patenting of a medicine, or the use of it when patented, and discouraged the use of a *secret* remedy, which would be obviated in this case, by disclosing what its real character and name was, or a patented nostrum, or quack medicine, which this certainly was not. And that he foresaw no evil which could result to Dr. Jackson, for associating with Dr. Morton in the demand, provided it was really necessary or would be of service in making the requisition.*

This at once settled the question, and never did a fish seize a tempting bait with greater avidity, than Dr. Jackson this decision. From the moment when he found that his own reputation was not likely to suffer, and that the pecuniary balm would be sufficiently ample to heal any wounds his conscience would be likely to feel, he used every endeavor to turn the profits to the highest personal account. He agreed to associate his name to the specification for a patent, and also guaranteed to draw up an agreement, by which he should assign over to Dr. Morton, all the

* "I am unable to find any law, bearing directly or indirectly, upon the present case. The tenth by-law of the Massachusetts Medical Society is directed, as I understand it, against any one who shall publicly advertise or publicly offer to cure disease by medicine, the composition of which, he the advertiser makes a secret. It deals with the question of proclaimed secresy, and, in my view, is directed against that prudish class of practitioners whose ostentatious solicitude to conceal their wares, is their only chance of persuading people of their value. The same remarks apply to the fifty-eighth by-law. I leave others to judge of the propriety of applying such restrictions to a method which has been publicly registered; which has been voluntarily announced to every surgeon who has used it, and of which the immense utility is fully conceded. I am unable to discover that your correspondent has here any ground for his scruples about purchasing a right."—*Reply of* Dr. HENRY J. BIGELOW *to* Dr. FLAGG.

rights which he could acquire from the fact of his name being associated with that of Dr. Morton, as joint discoverer.

A few days later Dr. Jackson called at the office of Mr. Eddy, and the specification was drawn up and signed by him, and then carried to Dr. Morton, for his signature. At the same time the assignment was prepared, to which Dr. Jackson readily appended his name.*

Upon these transactions, we find in the Report of the Massachusetts General Hospital for 1848, the following remarks by the committee of that board, who had this subject in charge:

"The committee think that Dr. Jackson's own early acts have, indeed, forever rendered inadmissible these exclusive claims. He at first agreed to receive from Dr. Morton the sum of five hundred dollars, as a compensation for his services. Is it for one moment conceivable that the true discoverer would have thus bartered away his birthright for a mess of pottage? And when subsequently, at the suggestion of the Solicitor of Patents, a personal intimate friend of Dr. Jackson, Dr. Morton consented to permit Dr. Jackson's name to be associated with his own in the patent,—he having agreed, instead of the five hundred dollars, to receive one tenth part only of the profits,—we ask again, is it conceivable that the sole discoverer would have thus associated another with himself, taking even an oath that they were joint discoverers, and, at that same time, have consented to receive only a pittance of what was wholly his own? No! We consider that Dr. Jackson is estopped for ever from such a claim,

* Mr. Eddy gives the following account of drawing up and executing the papers which show that Dr. Morton certainly could not have properly appreciated what he was doing: "After preparing the specification, I submitted it to Dr. Jackson, who fully approved it. I next had it copied in a manner suitable to be signed and sworn to by the parties."

During the time these negotiations were going on, Mr. Eddy says: "I saw very little of Dr. Morton, from the 21st to the 27th of October, the latter being the day on which the papers for the application for the patent were executed by the parties;" and further adds when he found him, and obtained his signature, "Dr. M. was so much engaged in his discovery and business of dentistry, that I found it exceedingly difficult, if not impossible, to obtain an audience with him. His office was constantly thronged with persons in waiting to consult him on professional business."

and that not upon technical grounds, but by the whole equity of the case."

As when considering the claim of Dr. Wells, we presented his own statement as given to the public, it is no more than justice that the same right should be accorded to Dr. Jackson, particularly as no more is desired by Dr. Morton than a fair and candid examination and judgment on this *quæstio vexata*, and as two are always required to make a quarrel, it would be the height of partiality to hear the story only from one side, and from the evidence presented by one claimant, pass a verdict on the other. The following statement comprises all the material points which Dr. Jackson has urged, and is from the memorial which he prepared and forwarded to his Excellency Baron Von Humboldt, to lay before the Royal Academy of Berlin in 1851. It is, however, a matured narration, in accordance and modified by the course of events subsequent to the publication of the discovery, not the early statement made; it should therefore be considered *cum grano salis*.

"While I was a student in medicine, in 1825, '26, '27 and '28, I was engaged in chemical and physiological researches connected with my professional studies, and had read with deep interest the curious researches of the late Sir H. Davy, on the physiological effects of various gases, when inhaled into the lungs, and I repeated all those that were not considered imminently dangerous, for the purpose of realizing their effects on the system.

"Among other gases I inhaled very frequently, and administered to others, the protoxide of nitrogen (exhilarating gas), and was thus made perfectly familiar with its physiological effects. Subsequently I thought much of Davy's suggestion, that protoxide of nitrogen might possibly be employed in mitigating the pain of a surgical operation, and on my return from Europe, where I had been to improve myself in the sciences of medicine and surgery, I determined to try the effects of that gas in every possible way, and I did, in 1837, think that I had produced the state of insensibility required, by administering to several young men the protoxide of nitrogen, through a very small aperture, closing the nostrils at the time, so as to exclude air from the

lungs, but I found that I only had produced a partial and a dangerous state of *asphyxia*, and that the patients had not lost sensation, as was proved by pulling their hair, and by touching them. I came to the conclusion, therefore, that anæsthesia, or insensibility to pain, can not be produced by the inhalation of that gas, as proposed by Sir H. Davy, and therefore abandoned that method.

"Having been appointed Geologist and Chemist to the State of Maine, in 1836, I opened a large chemical laboratory the next year, for instructing my pupils, and for making the chemical analyses for the state, and had frequent occasion to experiment with chlorine gas, and had accidents myself, as with my pupils, by the breakage of vessels filled with this gas, and had inhaled it into the lungs. Vapor of alcohol was at that time the remedy we used for relief, and not finding it to answer the purpose satisfactorily, I soon after tried the inhalation of sulphuric ether vapor, which from 1837 to 1851, was the means in habitual use in my laboratory for relieving persons from the effects of the action of chlorine in the lungs.

"The history of this discovery is deemed interesting to the scientific world, and I shall therefore give the facts and my induction in detail. The origin of the discovery, you will perceive, was from an accident, but the *induction*, by which the *discovery* itself was made, was truly scientific and legitimate in all respects. The circumstances were as follows:—In the winter of 1841–42, I was employed to give a few lectures before the Mechanics' Charitable Association, in Boston, and in my last lecture, which I think was in the month of February, I had occasion to show a number of experiments in illustration of the theory of volcanic eruptions, and for my experiments I prepared a large quantity of chlorine gas, collecting it in gallon glass jars, over boiling water. Just as one of these large jars was filled with the pure chlorine, it overturned and broke, and in my endeavors to save the vessel, I accidentally got my lungs full of chlorine gas, which nearly suffocated me, so that my life was in imminent danger. I immediately had ether and ammonia brought* to me, and alternate-

* It has never appeared who brought it.

ly inhaled them with great relief. The next morning my throat was severely inflamed, and very painful, and I perceived a distinct flavor of chlorine in my breath, and my lungs were still much oppressed. I determined, therefore, to make a thorough trial of the ether vapor, and for that purpose went into my laboratory, which adjoins my house, in Somerset-street, and made the experiment from which the discovery of anæsthesia was induced.

"I had a large supply of perfectly pure washed sulphuric ether, which was prepared in the laboratory of my friend, Mr. John H. Blake, of Boston. I took a bottle of that ether, and a folded towel, and seating myself in a rocking-chair, and placing my feet in another chair, so as to secure a fixed position, as I reclined backward in the one in which I was seated. Soaking the towel in the ether, I placed it over my nose and mouth, so as to inhale the ether mixed with the air, and began to inhale the vapor deeply into my lungs. At first the ether made me cough, but soon that irritability ceased, and I noticed a sense of coolness, followed by warmth, fullness of the head and chest, with giddiness and exhilaration. Numbness of the feet and legs followed, a swimming or floating sensation, as if afloat in the air. This was accompanied with entire *loss of feeling*, even of contact with the chair in which I was seated. I noticed that all *pain had ceased in my throat*, and the sensations which I had were of the most agreeable kind. Much pleased and excited, I continued the inhalation of the ether vapor, and soon fell into a dreamy state, and then became unconscious of all surrounding things. I know not now long I remained in that state, but suppose that it could not be less than a quarter of an hour, *judging from the degree of dryness of the cloth*, which during this state of unconsciousness, had fallen from my mouth and nose and lay upon my breast. As I became conscious I observed still there was no feeling of pain in my throat, and my limbs were still deeply benumbed, as if *the nerves of sensation were fully paralyzed*. A strange thrilling now began to be felt along the spine, but it was not in any way disagreeable. Little by little, sensation began to manifest itself; first, in the throat and body, and gradually extended to the extremities, but it was some time before full sensation returned,

and my throat became really painful. Reflecting upon these phenomena, the idea flashed into my mind, that *I had made a discovery* I had so long a time been in quest of*—a means of rendering the nerves of sensation temporarily insensible to pain, so as to admit of the performance of a surgical operation on an individual without his suffering pain therefrom.

"In the rapid inductions of the mind, it is not always easy to trace the exact method of thought by which we suddenly arrive at great truths; but so far as I can trace the reasonings that rapidly flowed through my mind, it was based upon principles well understood by all educated physicians and physiologists. I knew that the nerves of sensation were distinct from those of motion, and of organic life, and that one system might be paralyzed without necessarily and immediately affecting the others. I had seen often enough in my medical practice, the nerves of sensation paralyzed without those of motion being affected and those of sensation being influenced, and both the nerves of motion and sensation paralyzed without the ganglionic nerves or those of organic life being affected. I knew also, that the nerves of sensation are stationed as sentinels near the exterior of our bodies, to warn us of danger from external causes of injury, and that there is no feeling in the internal portions of our bodies. I knew also, that when the knife is applied in surgical operations, that there is little sense of pain in any parts beneath the skin. This, my own surgical experience, as well as that of others, had long ago demonstrated, and the philosophy of these physiological facts was made known to the medical world in England, and was fully proved, by all the eminent anatomists and physiologists in Europe.

* Compare this with the following extract taken from a letter recently brought to light, written by Dr. Jackson to the United States geologist, J. D. Whitney, then in Europe, under date of Dec. 11th 1846. After communicating the nature of the discovery, and asking him to lay his claim before some learned society, in Berlin, he remarks, "Is not this a good offset to the German invention of gun cotton? In this country I do not know which discovery produces the most excitement. *It is curious that they both should have been overlooked so long*," *i. e.*, until now.

"Now I had observed, 1st. That the nerves of sensation in my own body were rendered *insenible to pain* for some time before unconsciousness took place;

"2d. That all pain had ceased in a suffering part of my body during the stages of etherization preceding and following the unconscious state;

"3d. That this state of insensibility of the nerves of sensation continued for a sufficient length of time to admit of most surgical operations, and I had reason to believe that during the unconscious period the degree of insensibility was still greater, so that it would be impossible that any pain could be felt in a surgical operation;

"4th. That the nerves of motion, and of the involuntary functions of respiration and circulation, were in no wise affected; the functions of life going on as usual, while the nerves of sensation were rendered devoid of feeling, and the body could suffer no pain. By long experience in the trial of ether vapor in spasmodic asthma, and from numerous carefully conducted psychological experiments, I had learned that the vapor of ether could be safely inhaled into the lungs to an extent before believed to be dangerous."

The first objection which can be made to the claim of Dr Jackson is one which is equally pertinent to that of Dr. Wells and all others. That it was never presented until after the public announcement of the discovery by Dr. Morton, and not until experiment had settled the safety and efficiency of the agent, and it appeared sure that fame and fortune would be the rewards of the discoverer. It is exceedingly unfortunate for Dr. Jackson that if he made the discovery, as alleged, in 1842, he should not have communicated it to some person or persons in such a manner as, in case subsequent trial should prove it a great and valuable discovery, he could have the means in readiness to verify his claim as the discoverer, by showing the date of this communication, or some written account deposited at that time in the hands of some disinterested party. Something of this kind he did try when he sent his *sealed* letter to Mr. Elie de Beaumont, his former instructor, with the request that it should not be

opened until an order was received from him; so it cannot be said that he did not think of such a method. But, unhappily for him, although he sent and made the deposit as early as he *knew* of the discovery, it was still a little too late, for it was subsequent to the announcement by Morton. How much more satisfactory it would have been for him and the community, if he had deposited the note in the hands of Dr. John C. Warren in 1842, instead of in the hands of a foreigner in the latter part of 1846.

In his own account of this discovery several peculiarities exist which are worth noticing. He writes that from 1837 the inhalation of sulphuric ether was in habitual use in his laboratory; yet the earliest date for this use which he has been able to establish by testimony was in March, 1846.

If by the accident of the upsetting of the jar of chlorine, "his life was placed in imminent danger," why did he not make a full trial of this agent, also, instead of inhaling *ammonia* and ether alternately? If he had been habitually inhaling it and causing it to be inhaled for five years, it would be supposed that he was conversant enough with its use and effects to have employed it fully for his own relief. But he even allowed a night to pass over his head, and only on the next morning decided "to make a thorough trial of the ether vapor." Why should he resign himself to that amount of suffering and inconvenience for so many hours, when he possessed an agent at hand which he knew to be a sovereign remedy?

Conceding, however, that his description embodies the real facts of the history, how could the short space of time which was occupied in the experiment, and not a long and continued series, justify the conclusion to which he asserts he so instantaneously arrived. The facts, as reported by him, seem hardly to warrant his inductions. The ether which he took at this time, was not for the sake of experiment, or with any thought of any anæsthetic properties, but simply as a medicine and antidote, in a manner which he had often employed it before during the preceding five years. It acted as a medicine, but very probably more powerfully than he either intended or expect-

ed; it had the effect, according to his statement, of rendering him "unconscious to all surrounding things" for several minutes. Now, by what rule of logic could he so suddenly, from this one result, *produced* on himself, in preference to all his anterior experiments, form "the inference" that any person by taking the agent as he had then done, might have his body cut, burned, or torn, without the slightest feeling of pain—"the unqualified belief in both the safety and efficacy of this method of destroying all sensation of pain in the human body during the most severe surgical operations?"

No experiments had been made on him while in that state, to see whether any sensation remained. Nor did he afterward make any on himself while partially under its influence; nor did he ever administer it to other parties, and see in how great a degree their sense of touch was blunted. But simply because a well-known intoxicating agent had made him for a brief space of time thoroughly intoxicated, he forms an extended and remote conclusion almost without any further action of the mind.

Opium, it is well known, will throw any one into a sound slumber, and the depth of the beastly intoxication produced by alcohol is an every-day exhibition. Now, could any one, who, for the first time, was affected by those agents, conclude that neither the surgeon's knife, the heated iron, nor the wrenching pulley, would bring a return to consciousness? If the reasoning is sound in one case, it should be equally good for the other, for both of the agents above mentioned are equally good anæsthetic agents as sulphuric ether; yet every medical practitioner knows from the experiments which have been made with them, based upon the effects which they have been *seen to produce on others*, that the contrary is the rule—that the degree of narcotization or intoxication must be intense and dangerous, which will prevent the patient awakening to a decided appreciation of his suffering as soon as the operation is commenced.

There is an hiatus in the statement of Dr. Jackson, which requires filling up; some experiments, or favorable results should be reported between the time when he rendered himself accidentally insensible, and the time when he formed the admirable,

perfectly-developed conclusion—that this ether could be given to any one, so as safely, expeditiously, and certainly, to benumb the human frame against the attacks of the severest pain-causing operations. But no other experiments whatever, either upon himself or others, are reported by him—not one to show that he had proved by its administration to another, that a relief from pain was experienced. Nor even at the time he wrote and sent his letter to the French Academy, had he seen any operation under its influence, so that his story of the success of his own discovery was given on hearsay evidence; actually at the moment of his claiming the discovery, he had never seen one case of application of it. It was not until the 21st of November, eight days after he had sent his letter, that he ever witnessed the administration of ether. Nor was it until the 2d day of January, 1847, nearly three months after its first use at the hospital, that he made his appearance there, and then "simply as a spectator."* This absence cannot be accounted for on the ground of difficulty of access, or distance from his house, because ten minutes of time is all that is required to accomplish it—the hospital being not more than a mile from his house.

But allowing that he did make the discovery in 1842, how will he reconcile it to his conscience that this important and glorious discovery was kept a secret from his fellow-men for the space of five years? As he read the accounts of suffering, and saw his friends and perhaps his relations tortured with the pain of disease, or suffering the agony of a necessary torture, how could he calmly and coolly look at them without suggesting one measure for their relief, or dropping a hint that he had a remedy which could at once relieve their suffering? It may be said that the experiment was then in an embryonic state, that the result was not sufficiently certain or matured to be given to the world. But if this was so, why did he not devote himself body and mind to its perfection and elucidation? Why did he not give up his whole time and attention to experimenting and perfecting it? Nothing of which, by his own showing, did he do. Why, if not sufficiently confi-

* Evidence of Dr. J. Mason Warren, Dr. George Hayward, and Dr. S. D. Townsend.

dent in himself, did he not confide his secret to some trusty friend in some safe and sure manner, who should either experiment alone, or assist him with his advice and counsel? Is it not singular, to give the words of the Congressional committee, that "the agreement being concluded, Dr. Jackson went home, as he himself admits, and charged Dr. Morton $500 on his books for the information which he had given him, which is the *first entry or pen-mark made by Dr. Jackson in regard to this discovery.*"

Lastly, why did he finally intrust, without one word of explanation, and with but few instructions, the use of what he then considered a doubtful, if not a dangerous remedy, to what he styled an apparently ignorant, unscientific dentist? Why did he try to induce an innocent man to do what he had neither the courage nor the confidence to do himself?

Does this look like the case of a man who has made a discovery or formed an important conclusion? This story shows that he either acted the part of a cowardly prompter, one glad enough to shift responsibility in case of failure, or ready to appropriate the credit in case of success; or it is simply the story of a man who knew nothing about the subject; of one who had made some experiments with the agent which was afterward used, and had come in some very remote degree near the initial point of the discovery.

If Dr. Jackson kept this valuable discovery a secret for five years, should he not at this time look back with bitter regret upon the agony which this negligence or want of courage has caused to hundreds of sufferers? To quote the words of Dr. Jacob Bigelow, President of the Academy of Arts and Sciences, Boston, in an article published July 7th, 1847: "If Dr. Jackson did make the discovery in 1842, as he asserted, or even later, he stands accountable for the mass of human misery which he has permitted his fellow-creatures to undergo, from the time when he made his discovery to the time when Dr. Morton made his. In charity we prefer to believe, that, up to the latter period, he had no definite notion of the real power of ether in surgery, having seen no case of its application in that science," and was more

mistaken in regard to his facts, than indifferent to the woes of mankind.

One would suppose that had this valuable induction been so suddenly made by him, and as a meteor falls from heaven, the knowledge of his discovery had been opened so instantaneously to his mind, that he would have imitated the excitement of Archimedes, when he made the sudden discovery in the bath, "that a body immersed in fluid loses as much in weight, as the weight of an equal volume of the fluid displaced," and in the excess of his joy, without either coat or hat, redolent with the fumes of ether, have rushed from his laboratory into the street shouting, "Eureka! Eureka! a sovereign remedy for pain!"

Or if of too phlegmatic a temperament to admit of such raptures, we can imagine him, reporting his success to a few, experimenting until a mass of evidence, large and conclusive, has been collected, and then in an elaborately-prepared paper, reporting it to some medical society, or some body of eminent scientific men.

But Dr. Jackson did neither of these—*he kept it a secret for five years.**

But even when he did make known his claim, which was not until after Morton had established his right to the discovery, and had tried and conclusively proved the value of the discovery, how was it done? On an evening in the middle of November, there met at his laboratory, pursuant to a request made by himself, Dr. John C. Warren, Dr, Ware, Dr. Gay, Dr. Hale, Mr. Joseph Peabody, Mr. Francis B. Hayes, and Mr. Charles G. Loring. Before these gentlemen, Dr. Jackson spoke of his discovery, and laid the claim, which has led to so much controversy since. This meeting was a strictly private one, no report of it was ever published, nor did Dr. Morton know that it was ever held until about five years afterward.

* Perhaps during this period, Dr. Jackson was guided by the same process of reasoning, and desired to emulate the conduct of that scrupulous but very unprofitable servant mentioned in the Bible, "and hid his *talent* in the earth." If this were true, it would be no more than a just retribution that the punishment meted out in the one case should have its counterpart in this.

As regards what was done or said at this meeting, no very definite idea can be had, owing to the fact of its being a secret meeting, and none of the members having stated what there transpired. It is probable, however, that the council merely heard Dr. Jackson's statement, and did not form any decided conclusions as to its merits or demerits; nor did they express any open and settled opinion. This is shown by the very vague and unsettled *recollections* on the subject of Charles G. Loring, in his letter to the Congressional Committee, March 20th, 1852.

Of the distinguished gentlemen present at this meeting, Dr. John C. Warren became, before his death, a most decided espouser of the claim of Dr. Morton. Dr. Gay, after this exposition seems to have been completely satisfied with the right of Dr Jackson, and even published a pamphlet in his defense; but, unfortunately, a short time afterward, death removed him from the sphere of his labors, before the more certain evidence, which afterward appeared, could change his belief. Even in his work, he says: "The history of the discovery has been derived from Dr. Jackson himself." Of the opinion of Dr. Hale, nothing is known, and it is even doubtful if he was present at the meeting, as is stated in the letter of Mr. Loring. Mr. Peabody was a student in the office of Dr. Jackson; Francis B. Hayes and Mr. Charles G. Loring, members of the bar. The opinion of Dr. Ware is fully shown by the following letter, received from him, some time before the preparation of this book was commenced, which was furnished in reply to a question demanded in the course of a discussion, which had arisen upon another subject:

"The real question I take to be, not who first knew that ether would produce insensibility, but who first made such a practical application of this knowledge as to make it available in medical and surgical practice. Now, I believe that, had it not been for Dr. Morton's enterprise and determination, we should in this respect have been now just where we were fifteen years ago. Dr. Jackson knew a certain fact in regard to ether in common with other persons. He suggested it, perhaps, to Dr. Morton, who was on the lookout for something of the kind, as many had been before, though unsuccessfully. He made the application

successfully, and his, therefore, is the discovery, for I hold him to be the discoverer who first brings a fact, however well known before, to its general practical application. All the milkmaids in Gloucestershire knew before Dr. Jenner, that cow-pox would prevent small-pox; yet, we honor him as the actual discoverer of vaccination.

"I well recollect the meeting to which you refer, but I cannot, at this distance of time, bring to mind its particulars. I can only say, that it was in the early days of the discovery, and that the result at which the persons present arrived was necessarily founded upon an *exparte* statement. When the circumstances were more fully known, the opinions of many were changed—mine certainly was, and I have had but one view of the subject since."

Such was the composition of this *disinterested* tribunal which Dr. Jackson has always asserted, fully endorsed his claim, and awarded him the sole merit. That they then, from his position and exposition, may have supposed that Dr. Jackson was the discoverer, and may even have wished it could have been his lot when the truth was really made patent, is very likely. But that they conclusively decided in his favor, is most emphatically denied.

On the 15*th day of October*, 1846—that is the very day before the operation at the hospital, and fifteen days after Morton had made his discovery—Dr. Jackson wrote a letter to his friend and fellow-geologist, Mr. Josiah D. Whitney, in which he gives him all the news of the day, speaks of a microscope, of the Lake Superior copper mines, the meeting of the Association of American Geologists and Naturalists, and what papers were read before it—and even goes so far into minute and gossipy details as to write: "My house is at last completed, and so is the big Howard Athenæum, a brick and stone edifice of Gothic order. What a style for a theatre!!! Is it not ready for converting into a church? It is a handsome house, but there now five theatres in Boston!! What next? My family are all well, and now at home. The Plymouth life did them good. I have a fine lot of students," &c., &c. And yet not one word

is said in the letter of the momentous trial which was to take place on the ensuing day, and which had been instituted "*by Morton at his (Jackson's) urgent request.*" Not a hint was dropped that he was then possessor of a secret to which the information that the "Pittsburg Cliff mines have done very well," or the "Lake Superior Company has acted like the d—l, or worse," and the many other items of which his long letter was composed, are but trifles.

And yet that he did consider it of sufficient importance to write to him about, the many letters which he sent to Mr. Whitney after the public announcement fully confirm. Every letter sent to Mr. Whitney in the latter part of November, and in December, is full of assertions and statements concerning this very ether discovery, which prove the importance and value which he really attached to it. Is not this singular omission on the part of Dr. Jackson to notify one of his most intimate friends, and the person, as will be seen by other letters in the course of this work, upon whom he relied to establish his claim, a very fair pendant to the letter written by Dr. Wells to Morton, and copied, when speaking of the Wells claim. In one case we have a letter written on the day *before* the public trial, in which no allusion is made to it, or to the discovery. In the other case, the letter is written four days *after* it. Verily, the pen is mightier than the sword, and often declares and proves a truth, by unexpected means, which no fear of the latter instrument could ever force a recognition of.

But the conduct of Dr. Jackson in his intercourse with others at the time the discovery was first made public, militates strongly against the assumption that he was then the discoverer.

Caleb Eddy, Esq., a respectable Bostonian, who was at one time a member of the Board of Aldermen, testified before the commission in 1852, that, after successful experiment at the hospital, he asked Dr. Jackson if he knew that, after a person had inhaled the ether and was asleep, his flesh could be cut with a knife without his experiencing any pain? Dr. Jackson replied, "No, nor Morton either; he is a reckless man for using it as he has!" (See Eddy's testimony—Suffolk Deeds.)

Dr. A. A. Gould, whose scientific position has already been mentioned in a previous chapter, testified that he had a conversation with Dr. Jackson on the dental operations performed by Dr. Morton under the influence of ether, a few days afterward. In substance, Dr. Jackson said: "Well, let him go on with it; I don't care what he does with it, if he don't bring my name in with it." He further testified, that he had but little conversation with Dr. Jackson at the time, as he "thought he seemed to disclaim having anything to do with it, further than having mentioned the article to Dr. Morton."

Peleg W. Chandler, Esq., city solicitor of Boston, and an ex-member of the Legislature, testified that in a conversation with Dr. Jackson, soon after the discovery, an evident impression was left on his mind that that gentlemau did not regard it "as a settled thing, or as a discovery that was to be anything remarkable in itself, or one that was likely to be applied beneficially, in itself considered, but as rather opening the door to future investigation in that direction, that something might hereafter be discovered that would stand the test of science and practical experiments. There was an obvious desire not to connect himself, as a man of science, with it to any great extent, and he made use of some expressions of this sort with regard to Dr. Morton, that he was a reckless, dare-devil fellow, and that he would kill somebody yet. I think that was his very expression."

Joseph Burnett, Esq., a well-known apothecary in Boston, testified that in conversation at his own office on the 20th of November, Dr. Jackson said: "he apprehended danger in the hands of those who used it [ether]. Dr. Burnett thought the remark he made was, 'They would kill somebody with it.'"

Edward Warren, Esq., of New York, testified that at the period of the discovery he was intimately acquainted with Dr. Jackson, and called on him to ascertain the nature of the agent used, and if some arrangement could not be made by which he could introduce it in Europe. "I urged him to disclose the nature of the agent used, as up to this time (the last of November, 1846) it had been studiously kept as a secret. He declined, saying it was easily found out; that the public would soon know all

about it; and that, at any rate, if he was not properly remunerated, he would blow the whole thing up. We then had a long conversation in reference to the whole subject of this discovery. I asked him as to the safety of this agent. He answered, and here I pretend to give his own words, that 'It should be used with the greatest care; and that it would be very likely to injure the brain if repeated. He furthermore added, that there would be great danger in giving it for a long time on any one occasion, or of repeating it, as, if it were, asphyxia, coma, or even death itself, might ensue. I then asked Dr. Jackson what share he claimed in the discovery? He replied by saying, that 'the so-called discovery was not his; that Dr. Morton was responsible for it; that he was not answerable for the results, fearing that accidents might ensue from the use of this compound,' and that therefore he would refer me to Dr. Morton for further information. What I have stated above is the substance of a long conversation I had with him at that time, so far as I can recollect it. I recollect very distinctly what I have stated."

The true position of the two contestants has been very fairly stated by Dr. Morton himself, and he very frankly acknowledges for how much assistance he was indebted to Dr. Jackson. In his memorial to the French academy, he wrote: "I am ready to acknowledge my indebtedness to men and to books, for all my information upon this subject. I have got here a little, and there a little. I learned from Dr. Jackson in 1844, the effect of ether directly applied to a sensitive tooth, and proved by experiment, that it would gradually render the nerve insensible. I learned from Dr. Jackson, also in 1844, the effect of ether when inhaled by students at college, which was corroborated by Spear's account, and by what I read. I further acknowledge, that I was subsequently indebted to Dr. Jackson for valuable information as to the kinds and preparations of ether, and for the recommendation of the highly rectified from Burnett's, as the most safe and efficient. But my obligations to him hath this extent, no further."

"Dr. Jackson, has compared himself in this matter to Colum-

bus; and his friends have done so likewise in previous publications. I was not surprised, therefore, to find the writers of the 'Defence,' recognize in Dr. Jackson, Columbus; and in Dr. Morton merely the sailor, who first shouted 'land' from the mast-head. I would suggest, as a truer estimate of their relative positions in regard to this discovery, that Dr. Morton was the energetic commander of a vessel, somewhat deficient, it may be, in nautical science; and Dr. Jackson, a skillful pilot, summoned when the voyage was just at its close, by whose aid the vessel was brought safely into port; where it would in all probability, have arrived without that aid."*

On the 31st of January, 1848, Dr. Jackson was decorated by the "Cross of the Legion of Honor," an event which inspired a huge degree of self-complacency in the recipient, and has been made a constant theme of rejoicing among his friends, as a proof that he was fully recognized by the French government as the discoverer of etherization. But for this there hardly seems to be sufficient cause. Dr. Jackson was known and appreciated, as a scientific man, the world over, and it is not surprising that his geological and chemical investigations should have brought him this distinction, when so many men of much less note had already received it.

The following extract from a letter of Mr. Sumner, the brother of the Hon. Charles Sumner, to Dr. George Hayward, in May, 1849, places the gift in about its true light.

"In the first place, the *Grand Cross* of the Legion of Honor, has not been conferred on Dr. Jackson. There are ten degrees, the lowest, that of Chevalier—was given to him. It is a very problematical honor; the manner in which it was distributed by Louis Philippe, having made it a distinction to be without it. Recently, it was offered to M. Richard, one of the mayors of Paris, who refused it on this ground. The giving the Cross to Dr. Jackson, was principally owing to the efforts of M. Elie de Beaumont, the distinguished geologist, and was just as much for what Dr. Jackson may have done as a geologist, as for anything he may have had to do with ether."

* N. I. Bowditch's History of Massachusetts General Hospital.

Of these honors, Mr. R. H. Dana, Jr., of Boston, writes: "Were it not for Dr. Jackson's having stolen a march, by announcing his discovery to all the scientific societies of Europe * at once, while Morton was working here, and thus got votes passed, and records made in his favor in Europe, before any of the facts were known, then followed by a flutter of ribbons and medals, there would be no more question of Morton's claim than there is of Morse's, which Dr. Jackson contested with equal zeal." Nor has he ceased to make application for these honors. A letter which was published in the Boston Advertiser, of the present year, from Ferd. Gerolt, Prussian minister, to Dr. Jackson, expressly states, that agreeably to the wish of Dr. Jackson, expressed to him by a letter of the April previous, his majesty the king of Prussia, should confer on him the order of Chevalier, etc., his majesty had been pleased to do it.

To endeavor to give a plausible reason to account for the attempt of Dr. Jackson to appropriate the credit which properly belongs to Dr. Morton, is exceedingly difficult. The Hon. Amos Kendall, in his "Exposure of Dr. Jackson's Pretensions to the Invention of the Magnetic Telegraph,"† rids himself of the puz-

* The British and Foreign Medical Review, for July, 1852, in an article on anæsthesia, says: "The consequence is that on the continent, at least, Dr. Jackson has got the undeserved credit of having made a discovery which he at first ridiculed."

† It may not be known to the majority of the readers that a few years ago Dr. Jackson was a fellow-passenger with Morse, on board the packet ship "Sully," in Oct. 1832, on her voyage from France to the United States, when the idea of the electric telegraph first passed through his mind, in consequence of some questions which he proposed to that gentleman on the subject of electricity. An audacious attempt was made by him to usurp the honor and benefits of the invention subsequently matured, promulgated, and put in operation by Morse. In this instance, as in the case of Morton, Dr. Jackson wrote to the French Academy to induce them to award him the honor of the invention. He ascribed to Prof. Morse as he had done to Morton, extraordinary ignorance, saying that when he mentioned electro-magnetism, the Professor exclaimed, "Electro-magnetism! what is that? How does it differ from other magnetism?" But the other passengers, who were eye and ear witnesses to the conversation, give their concurrent testimony against the usurper and in favor of the Professor, in a manner quite as significant as the surgeons and physicians of the Massa-

zling question, by suggesting, "That Dr. Jackson is insane upon this subject, must be the charitable conclusion." But this is neither borne out by facts, nor does it receive the slightest corroboration from other of his acts. That he has twice designedly attempted to foist a "bogus baby" upon the public credulity, we will not, for the sake of his reputation, suppose; it is far preferable to imagine that affected by some form of *false puerperal mania*, he has mistaken another's vigorous and full-grown child for his own half-developed bantling. Luckily, however, if this is the case, the old saw, "The wise child knows its own father," seems as if it would still hold good, for the public opinion is rapidly putting an injunction upon his claim to paternity.

As true an approximation to the truth as can be arrived at seems to be, that for some years anterior to 1842, Dr. Jackson possessed in an equal degree with many others, information as regards the effects of ether when taken into the lungs, that he was accustomed to employ it as has been recommended in many medical works as a medicinal agent for the relief of the effects caused by the inhalation of chlorine gas. That on some day (fixed by himself in 1842) he inhaled some for this cause, and probably pushed it so far as to produce a temporary state of insensibility, how far neither he nor any one else can judge. There is very little reason to doubt that he was surprised at the circumstance at the time, and that the importance of it fully occurred to him after October, 1846. Now it may be, that possessed of a vivid imagination, but not very logical mind, he has a habit of suggesting theories, which he has not the courage or the application to reduce to practice, and that he calls the discovery made when the theory is formed, or it may be that from some vagary of his mind, he was led on by a consciousness of the experiment he had made, by his knowledge of the information about rectified ether he had furnished Morton, and by the progressive steps taken by Dr. Morton subsequent to the discovery, so as in the end to honestly believe that he had originally and

chusetts General Hospital, the medical profession of Boston and New-York, and the committees of Congress, ascribed to Morton the honor of the ether discovery.

entirely made it. But neither of these suppositions seems to suit the case. A more proper interpretation probably exists in a difference of recognition of what a discovery truly is. In this case it is generally considered as consisting in proving that the vapor of ether when inhaled can produce the most complete insensibility to the severest pain, and that this can be given with perfect safety to the patient at the time, and with no subsequent ill effects. Dr. Jackson does not pretend that his experiment in 1842 first proved that ether could be inhaled with safety in certain amounts, he has never so stated his claim, for he knows that it was well proved before that time. The fact that after it has been inhaled no pain is felt, can be proved only when an injury has been inflicted on a person rendered insensible by its influence. This he does not claim to have done. It was perfectly impossible, that after the momentarily unconscious state into which he was thrown, he could argue such a conclusion as was shown when an experiment had been really tried, because there was no basis upon which it could be formed. A vague idea of this truth may have flashed across his mind, but it evidently was not sufficient to induce him to solve the problem. He may perhaps be entitled to the merit of having formed a theory, a similar one to which was afterward formed and verified by another; but as this rests upon his unsupported assertion, and as he never proved it by experiment, it can hardly warrant him the title of a discoverer.

A most unfortunate feature in the contest which has been waged between the two claimants, is the personal and bitter ingredient which has been introduced by Dr. Jackson. It seems as if with him it had been a war to the knife. Any luckless wight coming in collision with his interests, or disputing his facts as products of his imagination, has been exposed to a catalogue of titles which he never imagined his possession of. Idiocy or ignorance can be the only excuses furnished for those differing from him in opinion. All those who have not at once conceded his right to the discovery, have been stigmatized as "his bitter personal enemies." The physicans of Boston who signed their names to the memorial in favor of Dr. Morton, form "a clique

who have conspired to injure him." Dr. Henry J. Bigelow, for his public avowal of his belief, is called "a very conceited young surgeon." "Mr. N. I. Bowditch, one of the trustees of the Massachusetts General Hospital, who caused to be printed an *exparte* statement in favor of the claims of the quack dentist whom I allowed to use my method of preventing pain in surgical operations, is a man of no *science, of no knowledge of physiology, or of medicine—a mere conveyancer of real estate*—a man wholly *incapable of any scientific examination of this question*, and a man of most *bitter prejudices against me, personally, exceeding in dogged obstinacy any man I ever knew or have ever heard of.* Convicted of error, he still insists that he is right, and he has been known to set up his opinion against the judges of our Supreme Court, and was only silenced by threats of prosecution for slander."*

Mr. Eddy was publicly charged with the fraudulent alteration of a paper, in connection with the paper which he had been requested to draw up. A bare assertion of Dr. Jackson which, as it seems, has never been supported by evidence.

Dr. Wells he charges with outrageous falsehood, and says, he can prove him a liar from his own words.

Upon the head of Dr. Morton every form of vituperation has been hurled—"coward," "liar," "quack," are trifles compared with others in the list. Even as early as his letter to Europe, he thus refers to the man to whom a year before he had occupied the position of "much obliged friend."

"It has often been asked, how I happened to commit the execution of my early verification experiment to an ignorant, and wholly uneducated person, like the quack doctor, Morton. This I will now explain. I was not aware of the *infamous character* of that man when he came to solicit the privilege of entering his name at my office as a medical student, and I allowed him to call himself my pupil, and I advised him to attend the lectures

* It is a pity that this violence has been shown, as it has no relation with the scientific merits of the discovery, and has had a tendency to complicate and confuse the question. It has, besides, prevented many who would otherwise have investigated it from so doing, and has rendered necessary much of the personal explanation which appears in this work.

at the Medical College of this city, and endeavored to instruct him in the first principles of human anatomy. I soon found that he was *too ignorant to be capable of learning the medical profession*, though I thought in the course of time he might learn enough to become a surgeon dentist. He was a well-dressed and plausible man, and although I knew him to be an *ignoramus* in all matters of science, I thought he could perform the very simple operations that I was about to commit to him, namely, the administration of ether to some of the patients whose teeth he was about to extract. His office, I knew, was frequented by the lower and credulous class of people, such as were attracted by his quack advertisements, with which he filled our daily newspapers."*

Dr. Jackson's wife and aunt, as has been already incidentally stated, were the patients of Dr. Morton at this time. It will also be seen, as we advance, that Dr. Morton was recommended by Dr. Jackson as a suitable member of the American Society of Dental Surgeons, as late as March 5, 1847.

* As a further illustration, vide "Full exposure of the conduct of Dr. Charles T. Jackson, leading to his discharge from the government service, and justice to Messrs. Foster and Whitney, U. S. Geologists."

CHAPTER XIII.

ACTION BEFORE FRENCH ACADEMY.

"A small Euphrates through the piece is rolled."—*Horace Walpole.*

THE letters which carried to Europe the news of the discovery reached Paris in November, 1846; but the incredulity of the surgeons prevented its early adoption, or even any experimental trials, particularly as Velpeau, among others, looked up to as the *Jupiter Tonans*, had, from his throne on the medical Olympus, "politely declined" having anything to do with it. But as additional evidence from America accumulated, the interest increased, until at last, when an inhaling apparatus sent by Dr. Morton had arrived, and an experiment had been made, on the 22d of December, by M. Jobert (de Lamballe), at the suggestion of an American medical student, the excitement reached its culminating point.

M. Malgaigne, the colleague of M. Jobert at the hospital St. Louis, was the first in Paris to follow the example, and make any number of experiments; these he communicated on the 12th of January, in a paper read before the Academy of Medicine. As early as the first of February, Velpeau and Roux declared in the presence of the two Academies, that the discovery "was a glorious triumph for humanity."

With France, the seat of all that is great in science or art in the world, and Paris, the focal point from which emanate the *dicta* which exert such an influence in guiding the opinions of

mankind, it was natural that Dr. Morton should look forward with some anxiety to the opinion which should be given by the *savans* of that city upon the merits of the discovery, and the credit which should be awarded him as the discoverer. Knowing that the newspapers and private letters would give them full accounts of the initiatory experiments, he waited quietly and impatiently for the returning steamers which were to bring the announcement of its reception, and the judgments which had been passed upon it.

What was his consternation and surprise, therefore, when, in the early part of February, the intelligence was returned that at a meeting of the French Institute, held on January 12th, a letter* had been read by M. Elie de Beaumont, written in Boston on the 13th of the previous November, by Dr. Charles T. Jackson, and deposited at the Institute Dec. 28th, which gave a full account of the discovery, and set forth his sole claim as the discoverer and originator of the experiments at the hospital. A short time after the information was also added, that after hearing this letter read, the Academy had referred the subject to a special commission consisting of MM. Velpeau, Rayer, Serres, Magendie, Dumeril, Andral, Flourens, Lallemand, and Roux, who were directed to examine and report at some future date.

M. Elie de Beaumont to whom the letter had been addressed, was an intimate friend of Dr. Jackson, and through the whole of the subsequent discussions warmly befriended the cause of his pupil, and furthered his interests, and by letters sent to this country assured him that he would procure from the Academy a decision in his favor.

* The letter sent by Dr. Jackson, besides giving the means by which he arrived at the discovery, states also what measures he had taken to give it publicity. "I ask," he wrote M. de Beaumont, "leave to communicate through you to the Academy of Sciences, a discovery which I have made. * * I have latterly put it to use, by inducing *a dentist* of this city to administer the vapor of ether to persons from whom he was to extract teeth. I then requested *this dentist* to go to the General Hospital of Massachusetts, and administer the vapor of ether to a patient about to undergo a painful surgical operation; the result was," &c. &c. This without even mentioning his name, was the only reference made to Dr. Morton.

"The gross injustice of entirely suppressing Dr. Morton's name, and claiming the sole credit of the discovery, and of the experiments at the hospital, created no little indignation, and was the first thing that decidedly changed the sympathies of many who had heretofore endeavored to favor Dr. Jackson, and had thus, though unintentionally, done some injustice to Dr. Morton."* But the blow was all the more injurious, because it was struck in the dark, with no premonitory warnings, by a man too, who knew that from his extended acquirements and well-known scientific reputation, he should secure the attention of his compeers over all that might be said or done by the humble and hitherto unknown "rightful heir."

It was cunning, also, in an eminent degree, for by depositing it at an early date, *sealed* as was done, it could remain in the proper hands until the value of the discovery was really manifest, when by giving due warning the seals could be broken and the early date of the claim made patent by the date of the deposit. Whereas, on the other hand, if subsequent experiment should show that its use was dangerous, or did not possess the value which was at first anticipated, a letter sent at the proper time would reclaim the letter deposited *unopened*, and nothing would ever have been known about the famous claim of Dr. Jackson, if he could not even join in the hue and cry, and in heaping obloquy on "*the dentist*," who had the rashness to experiment with matters outside the line of his true business.

As soon as the report of this communication reached Boston, Dr. Morton, as may well be supposed, became exceedingly indignant. At the outset, he of course in his own mind charged the whole of this directly to the duplicity and double-dealing of Dr. Jackson, and realizing the dangerous position in which he was placed, determined that some instant and strenuous steps should be taken to extricate himself. This energetic decision did not suit Dr. Jackson, who found himself placed in a most disagreeable position. He feared the reproaches of his former student, and his return of the attack, and saw the danger of his

* R. H. Dana.

coveted ten per cent., and yet was unwilling to retract from the false position in which he was so capitally ensconced. A story was therefore started, that in the letter to M. de Beaumont, a fair share of credit had been given to Morton, but that the method of its representation before the Academy being left to M. de Beaumont, and he being allowed the liberty of making what alterations he wished, had out of friendship to Dr. Jackson, and in order that his name should make as much impression as possible, stricken out entirely the name of Dr. Morton.

This lame excuse, although it did not by any means pacify Dr. Morton, mollified his then existing excitement, to such a degree, that he waited for a short time to see what would be the result, or the next step taken. Nor did he have long to wait. For a short time after, in order to sound his feelings, Dr. Jackson "sent his attorney to open negotiations with Dr. Morton, anew, for an adjustment of all the difficulties. This was *the last week in February.* True to his orders, the attorney saw Dr. M.; assured him of their wish to accommodate matters; had frequent interviews with him; and all the while pretending the greatest friendship for him, and the sincerest regret at the misunderstanding that had arisen! This continued through the week, and up to Saturday night, the steamer sailing the next Monday.* On Sunday, Dr. Morton called upon Dr. Jackson, at the request of his lawyer, and during their interview, they had considerable conversation on the subject then, as now, engrossing much of their attention: When Dr. J. remarked, 'Well, I have prepared an article, to appear in the Daily Advertiser, to-morrow morning, which will satisfy, and set the matter forever at rest;' or words to this effect."

"Dr. M., asked to see a copy, but being refused, he impatiently waited for the forthcoming paper, which was to settle his

* In order to realize the necessity of impressing the duties of each event accurately upon the mind, the reader must remember that at this time the steamers for Europe sailed only once each month, so that if a letter intended for Europe missed one steamer, or if false news were despatched, four weeks were obliged to elapse before any other information could be forwarded.

claim forever. The morning came; the Advertiser was procured; and the article, which was to make or mar his future fame, hastily perused."

This was a long letter printed on *March 1st*, purporting to have been written and read before the American Academy of Arts and Sciences, by C. T. Jackson, and which apparently had the sanction of the whole *Academy, for the* signatures of Edward Everett, Dr. John C. Warren, and others well known in America and Europe, were attached to it in the form of a request for its presentation.

A large number of these papers were sent by Dr. Jackson to Europe for distribution, and as they seemed to convey the opinions of those most competent to judge in his own country, it created such a feeling in his favor, and against Morton, that it was impossible at that time to overcome it, and which even subsequent news, and the information up to the present time, has not entirely removed.

Mr. Warren, writing from Paris, on Oct. 1st, thus speaks of the trials which this statement induced: "The greatest difficulty I have had to contend with everywhere in regard to your claims has been and still is the *apparent sanction* of the American Academy of Arts and Sciences to Dr. Jackson's claims. In not washing their hands publicly of the paper setting forth these claims, published by one of their number as coming from them, they are leading themselves to be used in a way to disgrace themselves, and to injure the cause of justice, and to retard all useful inventions and discoveries. Their long silence is wholly unworthy so distinguished a scientific body, and is prejudicial to the interests they wish to promote. All over Europe where I have been, this paper has circulated, or its effects are felt, leading men of letters to infer that Dr. Jackson is the real and sole discoverer, because he has the sanction of the names of Warren, of President Everett, and of the *American Academy*. If the Academy take no means at an early day, to set this matter right before the world, they will be as they have been, as directly concerned in propagating Dr. J.'s pseudo claims as if they had allowed him to make that publication *ex cathedra*. This is a matter of the

greatest moment, and should be set right at once if they desire to see justice prevail, or to give all an *equal*, or even a *fair chance.*"

This dangerous letter the Academy not only did *not print in its Transactions*, but all *responsibility as regards it was plainly disavowed*, and many severe strictures were made upon the fact of its having been printed. In a letter to Dr. Morton, Mr. Everett stated: "I need scarce say that my recommendation to Dr. Jackson, to address a paper on the subject to the American Academy, can, in no degree, be regarded as giving the sanction of that body to his statements. It is a standing regulation of the Academy not to assume any responsibility for either opinions or facts set forth in the memoirs submitted to it. And if this were otherwise, it is hardly necessary to remark that the Academy's sanction could not be conveyed in advance by an individual member."

The trustees of the Massachusetts General Hospital also speak of Dr. Jackson's "transmitting to Europe as a paper which had been read before the American Academy, a statement of his claims to this discovery, when, in fact, it had not been so read; thus communicating it to the world under an official sanction, to which it was not yet entitled." And, while referring to the same subject, remarks: "*We still find that every part of the statement is utterly irreconcilable with the facts.*"

Moreover, information has been given that the very letters which were written by Pres. Everett and Dr. Warren, requesting Dr. Jackson to furnish his statement, were sent in compliance with an intimation on the part of Dr. Jackson himself, who wished for some apparent and valid excuse for emitting it at that time, in order to influence the opinion of his own countrymen.

Here is the origin, and real history of that famous letter which has done, as it was well calculated it should, such an injury to Dr. Morton's claim at Paris.

After Dr. Morton had perused this precious document, the whole scheme of duplicity practiced on him flashed upon his mind. He at once saw that he had been duped, and made the victim of a trick, the enormity of which others must define. He saw that all this pretended desire to settle the difficulties was only

to gain time to prepare this paper, and to prevent him from drawing up and forwarding by the steamer of the 1st of March, such a statement as would expose Dr. Jackson's unjust claims.

This paper was drawn up principally by Dr. Jackson, as his legal adviser admitted, during the very time Dr. Morton was kept in town from his family, who were sick in the country, while Dr. J. was pretending the greatest anxiety to adjust all difficulties, and while Dr. Morton honestly supposed that there was to be an end to the troubles which he has shown the strongest possible disposition to accommodate.

Dr. Morton kept this agreement in good faith, and in his pamphlet giving full accounts of the scientific bearings of the discovery, he studiously suppressed all allusion to the merits of the discovery.

It was during this period, also, that one evening, at the tea-table of Dr. Gould, an offer was made to Dr. Morton by Professor Agassiz, to write and send to the French Academy a communication setting forth his claim. This valuable opportunity was declined by Dr. Morton, although he saw what aid and importance his cause would receive abroad from such an endorsement, on the ground that as negotiations were then in progress, he did not wish to do anything which might in the least interfere with any ultimate amicable arrangement.

But in the face of all this, Dr. Jackson's lawyer addressed Dr. Morton a note the same day this deception was thus made manifest, inviting Dr. M. to call at his office, or to name an hour when he would be at home. Toward evening, he came in, and endeavored to explain away the *ruse* that had been apparently played upon Dr. M., but to no purpose, Dr. M. having, in the meantime, been advised to hold no more intercourse with him on the subject.

"Thus things remained until about a week before the sailing of the April steamer, when the friends of both parties made another attempt to arrange matters. At the request of the attorney, by note, Dr. Gould called on him at his office, when the importance of an adjustment, and the probability of effecting it, were conversed upon. It was thought that a statement might

be drawn up which both could sign, and the basis of such a statement was arranged. It was also agreed that Dr. G. should write what he regarded as a correct history, and Dr. Jackson's attorney promised that he would cause the same to be done immediately on his part; and that from these papers a final statement should be derived. In order to be early on his part, Dr. Gould spent the greater part of the night preparing his paper, the attorney having promised to have his completed by the next morning. The time came, but no Dr. Jackson's attorney, neither did he or his paper afterward make their appearance. On the other hand, Dr. G. submitted his paper to Dr. Jackson, and two or three of his friends, none of whom made any material objection to the statement, but thought with a few alterations it would answer. But, though the effort was invited on the part of Dr. J., no reciprocal attempt was made for its success. And thus was a second attempt made on the part of Dr. J. to blind Dr. Morton and his friends, in order that they should send out no refutation to the unjust and unfair statements Dr. Jackson had made in Paris and elsewhere.*

* Much weight has been given by the adversaries of Dr. Morton to the fact of his willingness to sign a paper thus drawn up by Dr. Gould, and at the time of investigation of the subject by the Trustees of the Massachusetts General Hospital, the argument was used by the attorneys of Dr. Jackson to influence their decision. But the truth is, Dr Morton *never was satisfied with this statement;* he agreed to sign it simply because it would put an end to further contention, and although it did not give the sole and undisputed credit to him which he claimed, nor mention his previous experiments, which he insisted on, at least gave him the lion's share. Dr. Gould has himself expressed his opinion in the following letter printed among the Congressional documents: "In a memorial recently addressed to the trustees of the hospital by the attorneys of Dr. C. T. Jackson, I find published part of a statement of the early history of the employment of ether, for the relief of pain, hastily drawn up by me, between the hours of 11 and 2 o'clock at night, and *intended to be subsequently revised and compared with a statement expected from Dr. Jackson.* A copy of this paper was taken without my permission, and has also been published without consulting me. On page 4 it is stated that I informed the attorney that Dr. Morton pronounced my statement to be PERFECTLY SATISFACTORY, *and said he was ready to sign it.* Dr. Morton did say *he would sign the paper;* but he never declared it to be *perfectly satisfactory*, nor did I so report him."

But all these efforts on the part of Dr. Morton and his friends, as well as the friends of both parties, failing, Dr. Morton might have well been excused from another attempt at an arrangement of these difficulties. Nevertheless, he was willing to make one more trial, and determined, this time, to appeal directly to Dr. Jackson himself. Fully relying on the justice of his cause, and confident that in time the validity of his claim would be made clear, he was really anxious to amicably and satisfactorily arrange their respective titles, and accordingly addressed to Dr. Jackson the following note:

"CHARLES T. JACKSON, M. D.

"DEAR SIR: Being desirous that the misunderstanding between us, as to the discovery of the fact that sulphuric ether will produce insensibility to pain, may be speedily and satisfactorily adjusted, I now propose to you to refer the whole matter to some disinterested umpire, before whom all the testimony on both sides, as to the matter in controversy shall be submitted, and whose decision shall be perpetually binding on both parties.

"An answer to this proposition, made with the anxious desire for a full settlement of our difficulties is expected to day, or early Monday morning.

"Respectfully, your obedient servant,

"W. T. G. MORTON.

"SATURDAY, *March 27th*, 1847."

"BOSTON, *March 28th*, 1847.

"W. T. G. MORTON, Esq.: Last evening I received your note of yesterday, and now reply that it will be as agreeable to me as it can be to you to avoid any further dispute as to the claims of you and myself, in the discovery of the application of sulphuric ether by inhalation to surgical purposes.

"All I require is impartial justice, and therefore I cheerfully accept your proposition to refer this question to a suitable umpire.

"Respectfully,

"C. T. JACKSON."

"BOSTON, *March 29th*, 1847.

"C. T. JACKSON, M. D.

"DEAR SIR: Your note of the 28th instant, accepting my proposition to refer our difficulties to a disinterested umpire, has this moment come to hand, and I hasten to express my satisfaction at this favorable feature in the controversy.

"It only remains for us to select the person or persons to whom the matter in the debate shall be referred. If we can agree—and I trust we

can—upon some one gentleman, I shall be perfectly satisfied; or if not, then you may select one person or two, as you prefer and I will do the same, leaving them to choose another—whose decision shall be forever binding. Please inform me what is your choice in the matter, and oblige.

"Most respectfully, your obedient servant,

"W. T. G. MORTON."

This was dated, let it be observed, on the 29*th of March*, and the steamer was to sail on the 1st of April, which made it desirable to Dr. Morton that all the conditions should be settled, and the matter fully referred, before that time. He, therefore, with past experience in view, and the Punic faith of his opponents before him, waited impatiently for an answer. But again he waited in vain, and the steamer sailed. During the month of April, Dr. Jackson said, more than once, that the whole matter was in course of adjustment; and he said this in such a way as that Dr. Morton should hear of it, and be led thereby, we must presume, to infer that things could still be amicably arranged, although he neither saw nor heard directly from Dr. J. all this time. But the May steamer having sailed, and there being no immediate opportunity to send to Europe, while Dr. J.'s claims having had time to be fully known and established, he thought it safe to write the following note, to wit:

"BOSTON, *May* 3, 1847.

"Mr. W. T. G. MORTON;

"SIR: I have lately received a pamphlet entitled, 'Some Account of the Letheon,' &c., published, as I am informed, by your consent, and would now inform you that, by such procedure, especially by the publication of such a pamphlet, you have absolved me from all obligations to submit our relative claims upon the subject to an arbitration, as was formally agreed upon between us.

"Your obedient servant,

"CHARLES T. JACKSON."

The reader will particularly notice the date of this note, and the length of time which had elapsed since the sending of Dr. Morton's missive. Then, by referring to the information received by Dr. Jackson, detailed on page 231, it will be plainly seen what was the cause of an answer being returned at all, and how easy it was to find an excuse for breaking off all intercourse where

policy dictated another and better course of operations. On May 3d, Dr. Jackson knew that he was never to make money under the patent, that reputation was to be the only benefit, and at that time he had the whole plan fully matured to claim the whole honor and oust Dr. Morton from any participation. By the means put in operation, Dr. Jackson gained all the time he wished to perfect his plans and spread over the world the news that he was the sole discoverer, and having accomplished all that was necessary for the time being, was ready to break with Dr. Morton, and wage that war which has continued until the present time. It is the greatest pity that the kind and fair proposition of Dr. Morton could not have been accepted, as there is no reason to doubt, but that if in this impartial manner it had been referred to some honest arbitrators, the struggle which has since led to such a voluminous and unsatisfactory contention, could have been settled beyond a doubt, and the claim of him who had been adjudged the prize would have been left beyond dispute.

Nothing was now left Dr. Morton but to protect himself from any further or more violent assaults, and place affairs on a better basis for an even struggle. He therefore at once set himself to work to collect evidence and proofs to substantiate his claim.

But in this he was but partially successful; the prejudicial stories put in circulation, and the statements of exposure, disgrace, and ruin, now ripe, as described in Chapter XV., led those who possessed important testimony, to shrink from involving themselves in this bitter and personal controversy. Indeed, had it not have been for the noble and disinterested conduct of the surgeons of the hospital, it is doubtful whether he could have made any headway in eliciting some of his most valuable testimony. They addressed letters to the Messrs. Eddy and others, asking for all the facts within their knowledge. The testimony thus procured he forwarded to Europe, but owing to the peculiar circumstances of the case, and the private manner in which he had so long conducted his experiments, it was a task requiring both labor and time.

The majority of these proofs thus dispatched, and intended for

the most eminent of the surgeons and scientific men of France, unfortunately fell into the hands of an enemy of Dr. Morton, by whom they were suppressed. The result was, that but few reached their destination, and these being for the most part in English, received but little attention. The *Compte Rendus*, of the Academy, of March 24th, 1848, states that "M. Morton announced the sending of documents destined to establish in his favor the priority relative to the discovery. *The documents announced are not yet before the Academy.*"

During the summer he prepared a memoir, addressed to the French Academy of Sciences, which embodied, as well as it could in its contracted size (but twenty-one pages besides the *pièces justicatives*), his own "simple and natural statement" of his claim, and the corroborative evidence of those who had been the witnesses of his experiments.

On the last of August, 1847, the memoir was despatched to Europe to the charge of Mr. Edward Warren, then on private business, who was instructed to bring it as much as he could before the attention of those to whom it was addressed. But this was a late date to come into the field, for eight months Dr. Jackson had been diligently at work entrenching himself behind masses of vouchers, fortifying all the approaches to the ears of those whose candid opinion was wished, and putting into effect all those arguments and appliances which he with his familiarity with the men and the scientific bodies was so well able to do, to the prejudice of Morton, who, on the contrary, was totally ignorant of the means by which he should proceed, and had no personal acquaintance with any one "possessing influence at court."

The result was, that at this time Dr. Morton was looked upon in France almost as an impostor, or at all events as an intruder, who was endeavoring to attack a claim which was considered established. The people in America were therefore astonished, as they read by the arrival of each steamer, reports of Dr. Jackson's fast extending reputation, and the universal credence which his story received.

Moreover, the plan which had been adopted of having Mr. Warren represent the claim, turned out, as subsequent events

proved, a particularly unfortunate one. To his energy and good judgment, Dr. Morton owes much, and to him is due credit and thanks for having, when the discoverer was looked upon with suspicion and distrust, come openly to his rescue, and through the long fights which ensued, befriended and assisted him.

But the difficulties which he had to contend with were those which no amount of tact and decision on his part could overcome. All his struggles and exertions could not avail much when nearly bound hand and foot, and no amount of argument could he make heard by persons rendered deaf by prejudice or preconceived opinion. His departure from America had been precipitate, and going out upon business of entirely different character, he had not taken the precaution to supply himself with those credentials which were so important to secure the favorable attention of those whose help was so necessary. He only had personal interviews with two members of the Academy. He was received kindly and cordially, he was promised much by them, he was assured of a calm, deliberate verdict, but still the "old leaven was in the loaf," and the little impression which he could make did not enough avail to change minds which had been already made up.

Mr. Warren, on the arrival of the memorial at Paris, at once set himself vigorously to work to present the claims in their proper light, and rectify the error existing from the effect of Dr. Jackson's published letter. Speaking of a visit to Velpeau, the president of the commission, he wrote on October 1st, 1847: "But having once like most other Parisians espoused Dr. Jackson's cause, supposing then there was no question as to his claims, he does not of course wish to wheel about too suddenly, and on this account moves most cautiously." On showing him the "Memoir" which had been prepared for presentation, so wrote Mr. Warren, he examined it, and said it was "too long; that it is impossible to have it read, and advised me to make an abstract to present in my own name for you, having your memoir, &c., filed. He says, if my abstract is not more than ten to fifteen minutes long at the *outside*, it can be read, when the Academy will publish it, and then it will be read by all the

learned men in Europe; otherwise, no notice can be taken of the matter more than to announce its reception, and pass it over to the committee, who may report in a few months, or not so soon."

This occasioned a great deal of trouble to Dr. Morton; for how could he explain his own claim, and bring the necessary amount of proof to controvert Dr. Jackson's in so short a space, particularly as it was not to be a simple statement of his claim to the discovery, but rather an attempt to show the falsity of a claim which had been set up by some one else, and had been for some time apparently established.

Mr. Warren, however, adopted at this emergency a course which he supposed would exert a favorable influence. It is mentioned to show the constant difficulties under which Dr. Morton labored in bringing his claim and evidence to the notice of the Academy. In a letter sent in October, he wrote: "I have made arrangements with the porter of the hall of the Academy to present a copy of your memoir and documents, which I have had printed, to each member on the adjournment of the session at which the subject comes up."

This was actually the only way in which the scanty material was brought before them, for as stated before but few of the documents subsequently sent reached their destination* in time to anticipate the formation of the opinion, while the large amount which was dispatched many months afterward never were presented to the Academy at all. On the 22d day of

*"BOSTON, *March 14th*, 1849.

"DEAR SIR; By a letter received from our Paris agent, while you were in Washington, we learn that your pamphlets, addressed to the French Academy and others, owing to a wrong impression, have not as yet been received. They remained at the French customhouse from May 6th to December 16th. The duties on them have now been paid, and they are in the hands of an agent at Paris, awaiting your further instructions. Please give us your orders in season for transmitting per next steamer from Boston.

"We remain your obedient servants,

"HARNDEN & Co.

"W. T. G. MORTON. M. D."

January, 1851, Dr. Morton was astounded by receiving from Paris the following letter from Dr. Brewster: "I sent your order expecting to receive *a package*, but in its place comes *five huge boxes*. I have not opened them; the day has gone past to circulate these pamphlets. I have no room in my house for them. I have no time to distribute them, and if I did they would not profit anything, the cost of storage would be heavy and useless, therefore, what shall I do with them? Tell me by return steamer! My advice would be to sell them as *old paper*." This was the fate of that mass of material which Dr. Morton had collected with so much care and expense. Here was lost what would have conduced so much to a different verdict, and explains what through the whole of the deliberation of the commission was a puzzle to Dr. Morton, the little notice which was taken of his evidence.

Any one can imagine the amount of influence which evidence thus furnished would produce in his own case. And those who have tried by argument to change the mind of an opponent can bear witness to the power of "first impressions," and the difficulty which the human mind finds in acknowledging an error.

Mr. Warren remained but a short time in Paris, and after accomplishing all that the limited material and slight opportunities allowed, returned home. The case, to use his own words, "had gone to the jury," but argued before them on the one side by one of their own body, and a warm personal friend of "Dr. Jackson, who, from the frequency of his claims, well understood the matter;" while their attention was drawn toward the other side, merely by the outside suggestions of a man "borne down by the embarrassments of the peculiar nature of his position." On the appearance of a telegram, announcing the decision of the French Institute, which was appended to a Congressional report, No. 114, Feb., 1849, to which we shall hereafter allude, and which probably influenced a minority report in Dr. Jackson's favor, Dr. Morton immediately wrote to the Academy as follows: "If it is the intention of the Academy to pass upon this question, I trust I shall receive notice thereof, that I may lay before the Academy the evidence developed by the several inves-

tigations, and may be personally present; I have also, some most material and recently discovered testimony, not laid before the committee of Congress, or the trustees of the hospital, which I hope to have in form in season for your investigation."

This letter appears in the Compte Rendus, the Journal of the Academy, April, 1849. Dr. Hayward of Boston, also wrote to Senator Sumner's brother, then in Paris, desiring him to obtain precise information as to what the Academy intended to do. Dr. Morton never received any reply from the Academy. Dr. Hayward received a letter from Mr. Sumner, requesting him to say to Morton, to breathe easy, the Academy would not decide for a year or two. This assurance of no immediate haste, and the disheartening condition of his pecuniary affairs, prevented his applying for the commission to take the testimony of the Boston physicians and others *in perpetuam*, as was done before the commission of 1852. Now having, as we have before shown he had done, informed the Academy of the existence of important testimony, and of his desire and willingness to undertake to appear there with it personally, if they intended to pass upon the question, what must have been his surprise and consternation, upon his receiving in the following spring intelligence, that the Paris Academy of Sciences—the "Institut de France"—had awarded him one of the prizes founded by the philanthropic Monthyon, to be awarded to benefactors of the human race. Alexandre Vattemare, Esq., the well-known director of "International Literary Exchanges," said, in forwarding the announcement to Dr. Morton: "I feel myself highly honored in thus being the humble interpreter of the proclaimed esteem and high appreciation of the Institute of France, for the service rendered to suffering humanity by your important labors."

Monsieur Flourens, the perpetual secretary of the Academy for the Division of Natural Science, closed his official announcement of the award to Dr. Morton by saying: "I avail myself, with great pleasure, sir, of this occasion to offer my personal congratulations, while I bear witness to the interests which the Academy takes in your studies and in your success. Be pleased to accept, sir, the assurances of my high consideration."

This was, indeed, a noble evidence of the appreciation of Mr. Morton's scientific labors by the foremost among the learned bodies in the world. To use the words of the Hon. Mr. Walker in a subsequent debate in the Senate, "It shows whom they considered as the real inventor;" and this flattering mark of distinction, coming from this high source, was highly gratifying to Dr. Morton's friends. Letters of congratulation poured in from all quarters, and the award of the Academy appeared to give it an additional importance in the eyes of many eminent scientific men, who hailed its decision with pleasure. Some, however, thought that even this recognition was not commensurate with Dr. Morton's merits; among them, Mr. Thomas W. Evans, a distinguished practitioner, then at Paris. "Although," he wrote to Dr. Morton, "they have, in some measure, done you justice yet I think not so much as you merit. It is the general opinion of medical men here, that you should have a much larger share of thanks than the Institute has awarded you. Allow me to congratulate you upon the honorable mention of your name."

It has been urged by many who wished to detract from the credit given to Dr. Morton by this award, that it was at best but half a compliment, that it was no recognition of his claim as the discoverer, because an award of an equal amount was given to Dr. Jackson.

The formal decision of that learned body was worded as follows:

"Mr. Jackson and Mr. Morton have been mutually necessary to each other; without the earnest solicitations, the engrossing idea, and the courage—not to say the audacity of the latter—the observation made by Mr. Jackson might have remained for a long time without application, and without the fact observed by Mr. Jackson, the idea of Mr. Morton might probably have remained fruitless and without effect. The commissioners are of opinion that there are two distinct awards to be made. The commission, therefore, proposes to the Academy that a prize of 2,500 francs be awarded to Mr. Jackson for his observations and experiments on the anæsthetical effects produced by the inhalation of ether, and a similar prize of 2,500 to Mr. Morton for

having introduced this method in the practice of surgery."—*Tasistro's Translation.*

The Academy, unfortunately for its own reputation as an impartial arbitrator in scientific matters, had previously shown a disposition to make a decision on the discovery of ether, based upon the *exparte* testimony produced by the friends of claimants in Paris. And although the recognition of Mr. Morton's claim was not so full and perfect as he would have desired, nor probably the same decision that would be made by the same Academy now, had they the matter under consideration, it was still a glorious tribute to his energy and boldness, and all that could have been expected, in view of the small amount of evidence in his favor, which was furnished, and the many difficulties which he was forced to contend with, owing to the high standing of his opponent, his numbers of friends, and the completeness of his arrangements to establish a favorable decision in advance of Dr. Morton. Dr. Morton, however, took no notice of this award, and it was not until Dr. Brewster some two years after wrote him from Paris, that if he did not get possession of it soon, he would lose it, that he made any reply to the Academy's official announcement of the award. He then replied to Dr. Brewster that he would not give houseroom to anything that bore Dr. Jackson's name, and wrote the Academy respectfully *protesting* against a decision by which the claims of Dr. Jackson and himself were recognized as joint. Finally, the Academy's expression of opinion was received by Dr. Morton in the acceptable form of their largest gold medal. On one side of this magnificent testimonial is a finely-executed medallion head of Minerva, surrounded by the legend: "Institut National de France." On the other side is inscribed, surrounded by a laurel wreath: "Académie des Sciences—Prix Montyon—Medicine et Chirurgie—Concourse de 1847 et 1848—William T. G. Morton, 1850." Valuable as was the medal, it did not absorb the whole sum of twenty-five hundred francs voted by the Academy, and the balance was expended in a massive gold frame, ornamented with branches of laurel—that classic tribute to victory.

CHAPTER XIV.

FIRST APPLICATION TO CONGRESS.

"Each individual of the society has a right to be protected by it in the enjoyment of his life, liberty, and *property*, according to standing laws. No part of the property of any individual can, with justice, be taken from him, or applied to public uses, without his own consent, or that of the representative body of the people."—*Constitution of Massachusetts.*

"The citizens of each State, shall be entitled to all the privileges and immunities of citizens in the several States."—*Constitution of the United States.*

Under a belief that our Government was instituted for the common benefit of all of the children of the Republic, and that it was her firm endeavor to maintain and transmit all those glorious institutions, which have been bequeathed us by the framers of our constitution and our laws. Dr. Morton naturally looked to her to protect his discovery, encourage its introduction if useful, and reward his exertions if the benefits conferred should be sufficiently worthy. As he considered his discovery a public blessing, he supposed, that instantly she would make some recompense for his past exertions and expenditures, and throw open the right to use it free and untrammelled to every one.

This reasonable expectation was confirmed by his conversations with friends of science and humanity, who uniformly expressed a belief that as soon as the general government was made acquainted with the merits of etherization, and the blessings which it would confer throughout the land, for all time, but more especially in order to relieve the cases of agony which from the nature of their duties, were constantly occurring in the army and navy, it would make some public recognition of so important a discovery, or, at least, bestow a reward sufficient to secure the patent to itself. Many members of Congress affirmed that this would be done, as it was the well-recognized policy of our Government to encourage all useful progress in the arts and sciences of improved civilization.

Moreover, there were instances upon which to base such a supposition.

Congress had frequently rewarded individuals for discoveries of limited importance, which in no wise entitled them to a place among the benefactors of mankind. Purchasing the right from a patentee to use a valuable discovery was no new thing at Washington, as was shown by the Hon. Mr. Borland, of Arkansas, in the United States Senate, in a subsequent debate. "I will cite," said he, "a few cases: We paid for the right to make anchors of a certain form for the navy, $1,500; for the use of circular bullet moulds, $5,000; for the use of gas in vapor baths, $5,000; for elevating and pointing heavy cannon, $20,000; for the right to use patent anti-attrition metal, $20,000. We paid to the heirs of Robert Fulton, for benefits conferred by his improvements in steam navigation, $76,300. We paid for Mix's manger stopper, used in the cavalry service, $3,000. We paid to Dr. Locke, for the use of his magnetic clock, $10,000. We paid to McCulloch & Booth, for the right to use the improved method of refining our argentiferous gold bullion, $25,000—thus making an aggregate of $165,000 paid in these cases. But, in addition to these, there have been numerous instances in which patent-rights, or the privilege of using in the service of the Government patented articles, have been purchased by the Departments—some of which instances I find cited in connection with the report of the Select Committee of the House of Representatives—for which were paid $178,032;—making an aggregate of $343,000 paid by the United States for patents and the use of patented articles. Since I have been a member of the Senate, when meritorious individuals have come before us who had made important discoveries, we have aided them to test their discoveries by appropriations amounting, in the whole, to $120,000."

It was well known that such appropriations were common with every government in Europe, and it was well enough inferred, that if the Republic could afford to pay $20,000 for an invention in the art of killing human creatures, and those her enemies, that she could well afford to pay five times that sum

for the discovery of a method which should preserve the lives of mankind in the persons of her own children.

It may not be amiss to state here that history presents many instances in which masters of the healing art have received national rewards. Herodotus informs us that wealth and honors were heaped upon Democedes for having improved the health of Darius, king of the Persians, when he was their prisoner. Hippocrates was enrolled by the Greeks as a citizen, presented with a golden crown, and endowed with a public maintenance. The physicians of Smyrna received honors scarcely inferior to those paid the most eminent magistrates, and we often see their effigies stamped upon ancient coins, in common with the images of Hygeia, and other divinities who presided over health.

Nor was this national recompense for ameliorating human suffering confined to the ancients. So recently as 1802 the Parliament of Great Britain had received and favorably considered a memorial exactly parallel to that of Dr. Morton, from Dr. Edward Jenner, the discoverer of vaccination. He, like Dr. Morton, anxious to promote the safety and welfare of his countrymen and of mankind in general, sedulously endeavored to spread the knowledge of his discovery, and was triumphantly successful. But, in prosecuting his experiments, Dr. Jenner was "so interrupted in the ordinary exercise of his profession as materially to abridge its pecuniary advantages," as he stated in his "humble petition" to Parliament, in which he prayed that they would "grant him such remuneration as to their wisdom should seem meet." The readiness with which England granted this national reward, naturally inspired Dr. Morton with the hope that our republic would be equally grateful for an American discovery, equally beneficial to mankind.

Within the past year the French government have presented Professor Morse, for his great discovery of the telegraph, with the sum of $80,000, a large reward, and which shows in what just appreciation the result of his labors is held.

As soon as concluded upon, Dr. Morton began to take the steps necessary to bring it to the consideration of Congress, and

for this purpose, as before stated, dispatched Mr. Edward Warren to Washington.

Notwithstanding the distrust occasioned by the Dental Manifesto, so lively an interest was excited in the minds of many members of Congress by witnessing some of the wonders performed, that on the 28th of December, 1846, Mr. Warren was enabled to present his memorial to Congress. This was laid before the Senate by the Hon. John Davis, senator from Massachusetts and late governor of that State, and before the House of Representatives by the Hon. Robert C. Winthrop, of the same State, and then Speaker of the House. It was at once in each chamber referred to a select committee, consisting, in the Senate, of Messrs. Fries, Relfe, Young, Lieb, and Toombs, the first four named being physicians. The distrust awakened by the opponents of anæsthesia in respect to its safety and efficacy, as shown in a previous chapter, and the preoccupation of the public mind with the Mexican war, which was then being waged, all tended to exclude the subject from any consideration of Congress. This induced Mr. Warren to return to Boston. Here he used all his influence to persuade Dr. Morton himself to go to Washington. But the reasons before given were sufficient to prevent his departure. He saw at once that upon a favorable introduction and opinion in his own city depended all his hopes of success for the future, and his best form of appeal to Congress. He therefore decided to let affairs for the time follow their own course, while he devoted all his energies and attention to a more especial extension at home. The committee to whom the subject was referred terminated their investigations on the reception of a few unfavorable letters, and did not deign to even honor the subject of anæsthesia with a report.

Mr. Warren stated before the commission at Boston, that "while in Washington, endeavoring to induce our Government to introduce this discovery into the army in Mexico, and after getting the matter referred to a select committee of the House of Representatives, I learned with some surprise, that the Hon. Jas. Dixon, a member of Congress, from Connecticut, and townsman of Dr. Wells, had sent in a sort of informal protest to the com-

mittee's further proceedings, until a constituent of his, Dr. Wells, had furnished certain evidence in his favor. This was early in January. I immediately called on Mr. Dixon, who stated that Dr. Wells had requested his assistance, and had promised to furnish him certain evidence of his claim; but having gone to Europe, without procuring it, he did not think it would arrive at all, and, if not by a certain day, then near at hand, he would aid me in my efforts; at the same time saying, as near as I can recollect, that about two years before he had heard that Dr. Wells was making some experiments with nitrous oxide gas to prevent pain in extracting teeth; that having a severe tooth-ache, he called on him, proposing to take this gas, but that Dr. Wells informed him, that after giving it to thirteen or fourteen patients, with only partial success, he had abandoned its use as dangerous, and dissuaded him from resorting to it." Nothing further was heard of Dr. Wells or his testimony.

The following extract, from a letter written by Dr. Jackson, to Mr. Warren, then at Washington, on Jan. 7th, 1847, shows what, at this time, was his own opinion as regards the claim of Dr. Wells, and the value of the patent which had been issued: "I am now glad that I have secured the discovery by law, for the pretenders will have to test their claims thereby. I did not wish to be troubled with the business matters pertaining to the sale of patent rights, and so assigned to Mr. Morton my right in the patent, he agreeing to take charge of the business, and to pay me ten per cent. as my proportion of the sales of licenses. I think that Mr. Wells is endeavoring to make a disturbance for the sake of notoriety, for he cannot suppose he can show that he has the least claim to the discovery, or that he can invalidate the patent granted to Dr. Morton."

At the commencement of the year 1848, the discovery made by Dr. Morton was engaging the attention of the whole civilized world—partly on account of its inestimable value, and partly because royal academies and academies of science were agitated with the claims of those who professed to have suggested the wonderful qualities of ether. The question was now definitely decided, after all claims had been carefully weighed, by a most appro-

priate tribunal—the trustees of the Massachusetts General Hospital—at which the first public exhibition of this pain-destroying power was made, and where its effects were first witnessed by an admiring audience.

The twelve gentlemen who, as trustees of the hospital, made a thorough investigation of the discovery of etherization, had great advantages (independent of their personal characters and qualities) for conducting a thorough and impartial inquiry.* They were on the spot where the discovery was made, had intercourse with Doctors Morton and Jackson, as well as the principal witnesses; and were none of them physicians. The estimable chairman of the sub-committee which drafted the report (Hon. Nathaniel I. Bowditch), with two other gentlemen, are well-known members of the legal profession; three, or more, were members of the American Academy of Arts and Sciences; one of them (Mr. J. A. Lowell) being, by his position as sole trustee of the Lowell Institute, in Boston, brought more intimately into contact with scientific men than almost any one in that community; and three quarters of the whole board were graduates of Havard University. Never was a more fair, intelligent, or competent "jury of the vicinage" empanneled to try

*"WASHINGTON, *December* 20, 1851.

"Dr. W. T. G. MORTON.

"DEAR SIR: In reply to your letter of the 17th instant, I would say that, having been called on, on a previous occasion, to examine the question of the discovery of the application of ether in surgical operations, I then formed the opinion which I have since seen no reason to change, that the merit of that great discovery belonged to you, and I had supposed that the reports of the trustees of the hospital and of the committee of the House of Representatives of the United States were conclusive on this point.

"The gentlemen connected with the hospital are well known to me as of the highest character, and they possessed, at the time of the investigation, every facility for ascertaining all the facts in the case.

"The committee of the House were, I believe, unanimous in awarding to you the merit of having made the first practical application of ether, and a majority, by their report, awarded to you the entire credit of the discovery.

"Very respectfully, your obedient servant,

"DANIEL WEBSTER."

an issue. It is the duty of this board anually to lay before the Corporation a statement of the affairs of the hospital during the past year. What should have been done on this occasion? The institution had become somewhat identified with the announcement of the discovery, and the fact could not be passed over unmentioned. In mentioning it, it was not easy to avoid thoroughly investigating to whom the honors of discovery belonged.

The report, after carefully taking up, considering, and weighing all the evidence, and all the assertions presented, came to the following as the essential conclusions in the case:

1st. Dr. Jackson does not appear at any time to have made any discovery in regard to ether which was not in print in Great Britain some years before.

2d. Dr. Morton, in 1846, discovered the facts before unknown, that ether would prevent the pain of surgical operations, and that it might be given in sufficient quantity to effect this purpose without danger to life. He first established these facts by numerous operations on teeth, and afterward induced the surgeons of the hospital to demonstrate its general applicability and importance in capital operations.

3d. Dr. Jackson appears to have had the belief that a power in ether to prevent pain in dental operations would be discovered. He advised various persons to attempt the discovery. But neither they nor he took any measures to that end, and the world remained in entire ignorance of both the power and safety of ether until Dr. Morton made his experiments.

4th. The whole agency of Dr. Jackson in the matter appears to consist only in his having made certain suggestions which led or aided Dr. Morton to make the discovery—a discovery which had for some time been the object of his labors and researches.

With this award (to use the words of a Congressional document) Dr. Jackson, Dr. Wells, and the scientific world, should have been satisfied. It was the *first*, and ought to have been the *only* contest. Our enlightened system of jurisprudence forbids, except under extraordinary circumstances, *a second trial of questions of fact*. It forbids it as a guard against the danger incident to repeated investigations, that truth will be overcome by artfully-

manufactured evidence. No body, either legislative or scientific, to which this decision of the trustees of the Massachusetts General Hospital has ever been submitted, have overruled it. It carries conviction with it, and is incontrovertible.

In anticipation of a second application to the National Congress, some of the prominent citizens of Boston began to take measures to give a testimonial of the value set upon the discovery, and the sympathy for the discoverer.

The trustees of the Massachusetts General Hospital took the lead in this becoming expression of public feeling, and their committee exerted themselves with laudable energy, more anxious to secure the co-operation of many eminent citizens than large amounts from a few. The following letter shows the sentiments entertained by these gentlemen:

"BOSTON, *May* 12, 1848.

"DEAR SIR: At a meeting of the Board of Trustees of the Massachusetts General Hospital, a few weeks since, it was informally suggested, that a limited subscription of one thousand dollars shall be raised for your benefit in acknowledgment of your services in the late ether discovery; no one to be asked to subscribe more than ten dollars. We consented to act as a committee to receive and apply the proceeds of this subscription. The proposed sum having been obtained, we have now the pleasure of transmitting it to you. We also enclose the subscription book, in a casket which accompanies this note. Among its signatures you will find the names* of

* Josiah Quincy, Jr., Abbott Lawrence, E. Francis, Geo. B. Emerson, Saml. A. Eliot, Amos Lawrence, Wm. Appleton, J. I. Bowditch, Robert G. Shaw, J. R. Adan, Chas. Sprague, Samuel Appleton, Chas. Amory, Wm. Sturgis, H. Appleton, John Bryant, Geo. W. Thayer, N. I. Bowditch, Amos A. Lawrence, J. A. Lowell, Chas. H. Mills, Thos. Dwight, T. O Loring, John J. May, Thos. Lamb, J. W. Edmands, Theodore Lyman, Caleb Eddy, F. H. Bradlee, Wm. P. Perkins, A. L. Payson, Geo. M. Dexter, Jas. S. Amory, Rob. Hooper, H. Timmins, Richard Fletcher, Moses Williams, Joseph Tilden, Chas. Jackson, W. W. Stone, John D. Williams, James Jackson, Geo. C. Shattuck, Geo. Hayward, T. W. Ward, Chas. Lyman, J. Warren Appleton, Ozias Goodwin, Thos. Lee, J. Hooper, Mr. T——, J. Sargent, J. C. Warren, A Friend, R.M. Mason, J.S. Copley Greene, Wm. H. Prescott, Geo. H. Kuhn, Mrs. W. Pratt, J. Welles, G. B. Jones, Benj. Goddard, Aug. Heard, Rufus Choate, Wm. Ropes. Thos. B. Curtis, Josiah Sturgis, Josiah Bradlee, C. Fra. Adams, Joseph Burnett, Saml. H. Walley, Jr., H. M. Willis, A Friend, Danl. Webster, Jas. Parker, E. H. Robbins, John Ho-

not a few of those most distinguished among us for worth and intelligence, and it may be remarked, that it is signed by every member of the Board of Trustees.

"You will, we are sure, highly value this *first* testimonial, slight as it is of the gratitude of your fellow-citizens. That you may hereafter receive an adequate national reward is the sincere wish of your obedient servants.

"SAMUEL FROTHINGHAM,
"THOS. B. CURTIS.

"To Dr. WILLIAM T. G. MORTON."

The silver casket accompanying this note was executed by Messrs. Jones, Low and Ball, and bore the following inscriptions:—In front, "Testimonial in honor of the Ether discovery of September 30, 1846." And on the lid—

THIS BOX
CONTAINING ONE THOUSAND DOLLARS,
IS PRESENTED TO
WILLIAM THOMAS GREEN MORTON,
BY THE MEMBERS OF THE
BOARD OF TRUSTEES OF THE
MASSACHUSETTS GENERAL HOSPITAL,
AND OTHER CITIZENS OF BOSTON,
MAY 8, 1848.

Under this is a line extracted from the Hospital Report:

"*He has become poor in a cause which has made the world his debtor.*"

William I. Bowditch and Caleb Eddy, Esquires, were appointed a committee to present this gratifying acknowledgment of public gratitude to Dr. Morton, who made the following reply to the gentlemen who had so handsomely directed the affair:

mans, B. Andrews, Rich. H. Dana, Jr., J. Mason Warren, John. P. Cushing, C. T. Putnam, Edward Wigglesworth, John Bumstead, John M. Fessenden, S. Frothingham, Dwight Boyden, J. Thomas Stephenson, Henry B. Rogers, W. Whiting, Marcus Morton, J. Chickering, Paschal P. Pope, Henry P. Sturgis, Augustus Thorndike, Russell Sturgis, G. P. Curtis, Edward Blake, A Friend, J. H. Wolcott, George H. Loring, H. H. Hunnewell, Franklin Haven, N. Goddard, Jr., Henry Andrews, George B. Blake, A Friend, J. P. Higginson.

"BOSTON, *May* 15, 1848.

"GENTLEMEN; I need hardly say that your communication of the 12th inst., and the accompanying casket, subscription book, and donation, have been received by me with gratification of no ordinary degree.

"Apart from the positive value of the gifts, the kind feeling which has led to this manifestation on the part of so many of the first citizens of Boston, has affected me in a manner that I am not likely soon to forget. The circumstances in which I have been placed for some time past give them an additional value; and by my children the testimonial will be appreciated hardly less than by myself.

"In recognising among the names those of each of the Trustees of the Massachusetts General Hospital, I am bound to acknowledge this renewal of my indebtedness to that institution. It was the first to receive, verify, sustain, and promulgate, the ether discovery; and, from the earliest, I have received from its officers, surgeons, physicians, and trustees, nothing but constant courtesy, liberality, and kind consideration.

"Allow me to acknowledge your personal kindness in acting as a committee for the purposes of subscription, and the tasteful manner in which you have given to it an enduring value and significance.

"You are pleased to speak of my services as deserving a national reward. I am glad to have your concurrence and sympathy in this opinion; and it is not unknown to you, that, if received, it would be to me not only a reward but an indemnification and relief.

"Respectfully, your obliged and obedient servant,

"WILLIAM T. G. MORTON

"To Messrs. SAMUEL FROTHINGHAM and THOMAS B. CURTIS."

During this interval, Dr. Morton received a valued endorsement of his rights as a discoverer from Dr. Simpson, a distinguished professor in the University of Edinburgh. The professor had just published a pamphlet upon chloroform, the application of which he had discovered, and proposed as a substitute for ether in certain cases. Upon a fly-leaf of a copy of this pamphlet which he sent to Dr. Morton was written the following note:

"MY DEAR SIR: I have much pleasure in offering, for your kind acceptance, the accompanying pamphlet. Since it was published we have had various other operations performed here, equally successful. I have a note from Mr. Liston, telling me also of its perfect success in London. Its rapidity and depth are amazing.

"*In the Monthly Journal of Medical Science, for September, I have a long article on etherization, vindicating your claims over those of Jackson.*

"*Of course, the great thought is that of producing insensibility—and for that the world is, I think, indebted to you.*

"I read a paper lately to our society, showing that it was recommended by Pliny, &c., in old times.

"With very great esteem for you, allow me to subscribe myself,

"Yours, very faithfully,

"J. Y. SIMPSON.

"EDINBURGH, 19*th Nov.*, 1847.

CHAPTER XV.

ERA OF PERSECUTION.

* * * "He that filches from me my good name,
Robs me of that which not enriches him
And makes me poor indeed."—*Othello.*

It is always disagreeable to wake up to the sudden appreciation of unpleasant facts. Any surprise conveys for the moment a most unwelcome shock. It requires a most remarkable equilibrium of temper in a man, who can hear with equanimity, disastrous intelligence broken to him, without the slightest preparation or premonitory warnings. Few persons like to be suddenly awakened in the morning. It is a disappointment hard to bear, to be informed by the nurse that the long-expected heir to the family name has proved to be a girl. It is not pleasant to discover that the girl of your choice thinks one of your friends an interesting man, and that she smiles on him on meeting him at the precise moment that the thought was passing through your brain how uncommonly stupid and bad-natured she had become. But among all these unpleasant surprises, there is none which can match that occasioned by the information that some cherished speculation or investment, from which fabulous returns were expected, has proved a failure. In an instant after the letter which brings the unwelcome news has been opened and read, away vanish the castles in the air, all those cherished plans which the last venture was sure to bring a realization of, and a most unhappy mental prostration follows upon the previous excitement.

Somewhat of such a character must have been the feelings of Dr. Jackson, after having perused the counterpart of the following note—and by it suddenly appreciated the fact that his ex-

pected ten per cent. had disappeared with the furniture for his last built *Château d'Espagne.*

"BOSTON, *April 20th*, 1847.

"DEAR SIR:—As by the terms of the agreement made between yourself and me, on the 30th day of October, 1846, I am required as often as once in six months, to render you an account of the net profits resulting from sales of certain patents, etc., as will appear by refereuce to said agreement, I have now to inform you, and do inform you, that, up to this date, April 2d, 1847, I have received no net profits on account of any, and therefore can render you no further account than this, nor pay to you any moneys resulting from any net profits received.

"Yours respectfully,

"R. H. EDDY."

It certainly was a grievous trial for him, for the sum at any time was not to be despised, but would have been especially acceptable in the then collapsed condition of his pocket. Besides, it came upon him so unawares, he had no idea, previous to the arrival of the note that zero was to be his receipts, for certainly with the rights to use a valuable discovery for sale, and energetic men to dispose of them, he was authorized in expecting a handsome share in the returns.*

* The following extract from a letter of the attorneys of Dr. Jackson, to Messrs. Eddy and Morton, as late as Jan. 28th, was probably not written without his knowledge and consent, if it was not prepared at his instigation :

"Permit us to say in all frankness, we conceive the promise of ten per cent. for Dr. Jackson's interest, as altogether inadequate, and so we think it must seem to be to all disinterested persons. Dr. Jackson must be considered as deserving something more than double commissions for his interest in a discovery from which both of you have profited and will continue to profit so much. A sense of what is generous and honorable (not to say anything of the justice of any further claim) should influence you in deciding to give Dr. Jackson, not a paltry per-centage, but what may be considered a fair share of the profits. The portion of the profits which is now allowed by you to Dr. Jackson, under certain conditions, seems to us to be worse for your good reputation, than allowing him nothing; as it acknowledges his interest in the discovery, but appears to be given to him by you for the purpose of passing merely his title to the profits of the discovery. Under the present circumstances of the case, we think the least that in justice to yourselves and Dr. Jackson you can offer, is twenty-five

It was evident to him from this outset of the business, that the next six months would not show a better balance. If, with the first excitement still agitating the minds of the community, and with but few in the country who could lawfully use the patented discovery, the agents had not been enabled to accomplish enough sales to furnish any dividend, it was certain that they never could, and that money was the least reward which he was to expect. But then came the thought to his mind, if no pecuniary returns could be anticipated, there was the glory of the discovery left; that certainly was something, and if he could reap a full crop of that, he assuredly ought not to feel disappointed.*

But at the same moment that this idea occurred to him, came the reflection of his previous business transaction with Morton, when applying for the patent. The jointure of their names in the application, and his subsequent assignment. In addition, he knew full well what real share he had in the discovery, and what Morton had accomplished, and that the latter claimed openly the sole and absolute merit, and only recognized him as interested to the extent of the value of his name and influence. He knew Morton's sturdy, impulsive character, and that the slightest shadow of an attempt to usurp his honors would be

per cent. of the profits arising from the invention, both at home and abroad, in settlement of his claim upon you. It is our wish to settle the matter amicably, if possible. We hope you will see by our suggestions, that we wish to have a fair distribution of the profits of a discovery made among those who cannot, if they disagree, effectually sustain the patent; and which, if sustained, promises to give all parties large sums of money for their united co-operation."

Extract from a letter of Dr. Jackson, to Mr. Whitney, in Paris:

"Morton and Eddy are in copartnership, and are making money out of my invention, and even refuse me a paltry sum of ten per cent. on net profits of sales in Europe. Eddy tendered me an offer of five per cent., and Morton declines paying a cent."

* Extract from a letter of Dr. Jackson to Mr. Whitney, after he had discovered that it was exceedingly doubtful if there would be any pecuniary returns to him—to be compared with the letter of the attorneys of Dr. Jackson to Dr. Morton:

"Now, I do not care about the money. I have never received a cent, and never expect to receive anything for my discovery; I wish only to receive the honor and to legally fix my claim to posterity."

resisted to the last, and exposed if the case were brought to a public examination.

Here was a dilemma. It was clear that Morton must be disposed of, that the whole case must be so clouded by discussion and controversy that none but the clearest head and the most patient investigation could discover the true merits of the case. *Nil desperanduan* was a good motto for the emergency, and he determined to make the attempt. But first, as the primary step to this end, it was necessary to dissolve all connection with Morton, and prove to the world that he was no longer associated with him in any way. It was a late period for action, "but it is better to be late than never" move in any affair.

On the 26th of May, Dr. Gay, attended by a witness, called at the office of Dr. Morton, and finding him at home, informed him that he was present at the request of Dr. Jackson. He said that the tender conscience of Dr. Jackson was troubled on account of the agreement which he had entered into with Morton; that he was unwilling to receive the ten per cent. on the profits which he had before bargained for, as he could not but feel that it would burn in his pockets as so much blood-money, &c. After which long peroration, Dr. Gay, in the presence of Dr. Morton, destroyed the bond by which Dr. Jackson was enabled to show that he ever owned any rights under the patent. This finished, the couple took their leave.

Dr. Morton was slightly surprised at this procedure, but allowing every man to have his own individual tastes supposed that some portion of the declaration was true, and that Dr. Jackson, from conscientious motives, really did not wish to receive anything from the patent, even supposing it should ever prove valuable. To be sure it was a sudden change in sentiment, for he had always before been apparently willing to have his delicacy of feeling infringed upon to the amount of his ten per cent., and had even seemed troubled that it could not be affected to a somewhat greater degree, even as severely as twenty-five per cent. But he ultimately set it down as one of those sudden changes of opinion not uncommon in great minds, and observed that in the then existing condition of their pecuniary prospects, the destruc-

tion of the bond would make very little difference in the amount of "material aid" either of them would ever receive.

But the true reason of this melo-dramatic performance, transpired on the *afternoon of that very same day*, when the anniversary of the Massachusetts Medical Society took place, and the usual dinner. At this dinner, Dr. Jackson being called upon, rose and made a speech, in which he informed them, 1st. That he was the sole discoverer of etherization; 2d. That he had been swindled into an application for a patent and co-partnership with Morton; 3d. "That he had destroyed the bond given him by Morton, and made the use of ether, in surgical operations, *free to all mankind*," and, to use his own words in his letter to Baron Von Humboldt, "free it has been from that day, in spite of all attempts, to speculate in human sufferings, for money, as was steadily persevered in by Dr. Morton and his associates." Lastly, he ended off with the affecting declaration, that "he voluntarily offered his discovery freely to all medical men."

Dr. Jackson has ever since asserted, that, as a consequence, "his claim was acknowledged by acclamation," and that he was greeted with such applause, "that even the door-keepers looked in to see what was the matter," while, on the other hand, the name of poor Morton "was received with hisses." This may have been so, but it certainly would be difficult to say whether this uproar arose from a recognition of Dr. Jackson's own individual merit, or an appreciation of the magnificence of his gift. It was truly an overpowering compliment to them, and the least return which any one present could make, would be some applause. Whether Dr. Jackson had the right to give what he did, is another question. Where is the value of property, if one person can, without permission, dispose of what belongs to another? If he had no power to throw it open, and this was doubtful as the patent stood in Morton's name alone, the performance was simply ridiculous, and reminds one of the habit of the petty Tartar sheik who was accustomed, after his meal of horse-flesh, to have a trumpeter blow a blast before his tent, and announce that "his majesty having dined, all the nations of the earth were at liberty to go to their dinners."

It was, of course, a superfluous bit of information for him to inform the members of the society that he had destroyed the bond *but a few hours before*, just in time to be in season for the speech, and after he had discovered that it did not possess the slightest pecuniary value. It was so much more preferable to leave the time for this disinterested act vague, to allow each member to infer that, "in the cause of justice, honor, and honesty," he had some time before voluntarily impoverished himself. While, on the other hand, the infamous Morton, still hankering after the filthy lucre, was inclined to keep the harvest, and sell for gain what he had been so willing to give away.

A curious little circumstance, which was not intended to injure the disinterested and honorable position which Dr. Jackson occupied at the close of the dinner, was the fact that the pamphlet of Dr. Gay, in vindication of Dr. Jackson and his claim, had just then appeared (that very day) and a copy was placed in the hands of each member of the society.

Whether all these gentlemen who, on that day, received Dr. Jackson by acclamation and acknowledged the justice of his claim, would, if the question had been put on any of the subsequent anniversaries, have done the same thing, can be best proved by an examination of the relative number of names of members of the society, who have signed the memorial presented by each of the claimants; nevertheless, it was an excellent *coup* for Dr. Jackson, it was a pleasant fillip to his digestion after the dinner, but, alas! it was but transitory. A little time, a little longer examination, and a little truth from the other side, unhappily for him, changed all the minds, so that it is extremely doubtful if now they would receive his announcement by acclamation.

The position of Dr. Jackson in Boston, and in scientific circles, was excellent for the credence of his statements. He was favorably known, and his knowledge was appreciated, even by Morton. An assertion made by him would carry great weight, while hints and inuendoes from him would possess double the value of those coming from the mouth of almost any other man. Morton was simply a dentist, a man well known to be sure, for his skill in his own business, but that was all. Nothing was

known, except among a few, of his antecedents, and if discredit could be thrown upon him and his truthfulness, any statements which he might make would be disbelieved at once. The plan was immediately formed by some person to affect Morton's good fame. It was all important that prejudicial statements should appear, not traceable to any one's authority, but of such a covert and vague character, as to spread a general feeling of doubt and dislike. It was necessary to move cautiously, for the libeler might suddenly be called to account, for Morton was not the man to sit quietly under suspicion, and bear without return any injuries which might be inflicted.

As the wisest plan, therefore, it was concluded to try what effect fear would have upon him, and see if threats would not induce him to vacate without contest the position which was coveted. If Morton could be induced, by any means, to make any admission, or "back down" in the slightest degree from the dominant position he then occupied, it would be a great point gained, for at once a good basis for argument would be formed, that, if a man would make one admission that some points in his statements were incorrect, it furnished a presumptive proof that his entire story was untrue, and that his whole claim therefore was fallacious.

But first, it was necessary that some charge should be trumped up against Morton, or some prejudicial item in his history discovered, by which a degree of color could be given to the story with which it was designed to act upon him. This was soon accomplished, by the production of anonymous publications from every place where Morton had, for ever so brief a period, resided or not resided. By prying into every fact in his past history, by inquiries put to all who had ever had the slightest business transactions with him, and by distorting every report, or slander told by an enemy, a basis was soon formed sufficient to authorize the commencement of action.*

* To show with what extraordinary rapidity the agents worked when afterward endeavoring to form a larger collection of injurious evidence, and with what zeal the human bloodhounds pursued the scent of their anticipated victim, some dates have been collected to show, when various

The next move was to employ what had been collected, and see if the effect of the announcement upon Morton would produce the result hoped for. For this purpose it was arranged that the attorney of Dr. Jackson should see Morton, and try what influence the exhibition and a threat would have upon him. Accordingly, on the afternoon of the 21st of May, a student of Dr. Jackson called at the office of Dr. Morton, and finding him at home, informed him that the attorney for Dr. Jackson wished to see him on a matter of the utmost importance, one which concerned Dr. Morton alone, but had no reference to Dr. Jackson, and appointing 7 o'clock that same evening for the interview.

To this Dr. Morton replied, that he could not make the visit at that hour as it was after his usual time for leaving for his home in the country, but that he would see Dr. Jackson's attorney at some early hour on the ensuing day. With this change the messenger did not seem satisfied, but said that as it was of so great importance the interview had better be arranged for the same afternoon at 4 o'clock.

On visiting the attorney's office at the appointed hour, Dr. Morton found him alone, with the exception of a student of Dr. Jackson. The attorney commenced the conversation by remarking, "I have seen your pamphlet."

"Not mine—you mistake," replied Dr. Morton, "you mean Mr. Warren's. How do you like it?" (This referred to the publication of "Some Account of the Letheon, or Who was the Discoverer," which had just then appeared.)

"I was much surprised at its contents," replied the attorney; and then added, "Well, Morton, you know what is in the past; what is to be done? Shall each of you throw all the cudgels we can? It would be much better for you and Dr. Jackson to settle than to have the prospects of yourself and family forever blasted; for there has been collected from various cities such evidence as must crush and ruin you if it is published. Now, although

places were visited, where it was expected any information could be procured. On April 11th, at Mount Morris, N. Y.—on April 12th, in Rochester—April 7th, 9th, 12th, 13th, at St. Louis—April 23d, 26th, 27th, 28th, at Cincinnati—and then immediately after at Baltimore.

your conduct may have been the imprudence of youth, as it was before you was of age, still, that will not be taken into account. On the other hand, if you will own the fact that you first got your information relative to the discovery from Dr. Jackson, and make a statement to that effect, you could stay here, and practice your profession, and be a useful man in your business."

Although astonished by this preamble, and not appreciating its tenor, Dr. Morton saw at once that there was a plan on foot to terrify him into an acquiescence with their proposals, leaving the character of the means to be employed entirely in obscurity; he therefore determined to discover, if possible, what this terrible punishment with which he was menaced really amounted to.

"I confess," replied Dr. Morton, "I cannot understand what you intend by your remarks, unless it is to say to me, that if I do not choose to assent to Dr. Jackson's statements you will entirely ruin me and my family."

To this the student of Dr. Jackson made answer: "We mean that there is a man who has gathered the most complete mass of testimony as to your past history, and that it will be published in less than ten days, unless a correct statement of the matter is made. Then it can be prevented, and all be kept an entire secret."

Here were the batteries entirely unmasked. Dr. Morton saw at once the plan which had been laid to injure him, and the means by which it was to be accomplished, but he did not know of what the materials were to consist, and what mass of testimony it could possibly be which they had collected. He saw that it was of vital importance to discover what this was, so that he could at once explain and refute it, and he decided to compel them either to declare it upon the spot, or let them publish it to the world, and thus put forever out of the way of danger to him this formidable weapon.

He therefore boldly answered: "I am to understand, gentlemen, that you have sent for me to threaten, and thus to frighten me into your measures. You have the wrong man. You may make the most of your boasted collection of evidence to ruin me and my family. I consider this only shows the weakness of your

cause, that you can resort to such contemptible schemes to help it out."

Both the attorney and student at once denied that there was any such design on their part, or the part of Dr. Jackson, and said, that the instigation came from another individual. They asserted that they were very anxious to have the matter amicably settled, and suggested that, considering the previous negotiations had failed, the two rivals had better "*try again*," proposing at the same time that Dr. Morton should draw up such a statement as he would be willing to sign and hand it to them for examination. To this new proposal, Dr. Morton replied, that "he did not believe anything could be accomplished by this mode of procedure, as the failure of the former attempt had not resulted from any backwardness on his part, to negotiate, but from an evident inclination in Dr. Jackson to postpone every measure that could bring it to an open and fair judication."

The attorney still, however, urged this point, until finally it was arranged that Dr. Morton should call in person on Dr. Jackson, the next day at three o'clock, P. M., and instead of the more complex and tedious plan by writing, should have a plain explanation with him. An important engagement prevented Dr. Morton from keeping this appointment at the hour, so that he was unwillingly compelled to notify Dr. Jackson of his inability to attend, but at the same time, he requested him to appoint any other hour that might suit him. To this Dr. Jackson replied, that "he had taken advice, and made up his mind not to see him at all on the subject."

Finding that Morton was not to be intimidated, and by his bold procedure had foiled the first plan, it was evident that some other use must be made of the libels so laboriously collected. To publish them they did not dare, for their very character would lay them exposed to legal procedure. Moreover, it would have defeated their object, for it would have afforded Morton the opportunity which he wished, at once, by the same public means, to explain, and refute them, and thus make impotent the scheme devised for his ruin.

But if they could not publish the accusations, they could be

secretly shown, and by a careful choice of the persons, they could be made to work him a great deal of injury; and as evil report flies quick, soon would produce nearly as much effect as if given to the world in print.*

That this was done, is shown by the testimony (taken down from his own lips, by Richard H. Dana, Jr.) of an agent who was engaged in 1847 to make sales of the patent rights. He says: "In May, 1847, I was employed by Dr. Morton as a dentist. Dr. Morton lived out of town, and was not in his office evenings. Dr. H.† used to come there evenings, and converse with me, and told me a good deal against Morton, and in favor of Dr. Jackson. I had at that time a pecuniary difficulty with Dr. Morton, and was rather disposed against him; Dr. H.'s statements made considerable impression upon me, and I communicated them to Dr. Hayden, who was also employed by Dr. Morton. At length Dr. H. asked me to go with him to Dr. Jackson's and learn something that would astonish me. I went; Dr. Jackson and one of his students were there. They had on the table some documents, which were submitted to me to read. These documents were a letter from a Mr. De Forge, an anonymous article in a western paper, attacking Dr. Morton's character, published some years back, and certain letters in support of the charges. Dr. Jackson gave the documents to me. I showed them to Dr. Hayden. Some time afterward, Dr. Jackson told me that his lawyers had sent for Dr. Morton, and told him, that unless he renounced his claim to the discovery, they would publish these documents, and that Morton cried and begged them

* Dr. Morton lost no time in laying the subject of this interview before his attorney, R. H. Dana, Jr., Esq., who first wrote the substance of this interview in his journal, and then called upon the attorney of Dr. Jackson for information as to the alleged charges, and what use they intended to make of them; and they gave him the same assurance that they had given Morton, viz.: that it was not they who intended to use them, but another party. Mr. Dana, by a singular accident, traced the possession of them to a gentleman in Boston, and demanded, as the attorney of Dr. Morton, to see them. This gentleman stated that the papers were in the hands of another, and under his exclusive control.

† A dentist of Boston.

not to do so, and promised to retract everything, and acknowledge Jackson's claim. He said he met Morton in his attorney's entry, and that Morton begged him not to publish the thing, and promised to do all he would request. Statements were frequently made to me, and to others, to the same effect, by Drs. Jackson and H., and his students. They endeavored to get me to publish these documents anonymously; I believe they wished to have them published if it could be done without involving them. I do not think they intended to publish them themselves, but only to intimidate Morton into compliance."

The same budget of libels was carried to a distant state, and offered to be shown to the father-in-law of Dr. Morton, and the attempt was made by assertions, that the truth of them could be proved in every particular, to prejudice him against his son. They were offered to be shown to some of the surgeons of the hospital, and to Dr. Burnett, and from the effect which was produced in Boston, it is evident that a large number of other persons were made confidants of their import. Mr. Caleb Eddy who was about to testify in favor of Dr. Morton, was told by members of Dr. Jackson's family, that he was about to be ruined.

But it was not enough that the mischief should be sown in this country, it was necessary that the same influence should be brought to bear in Europe, especially upon the members of the French Academy, who were then examining into the merits of the discovery. Dr. Jackson knew full well, that it would be of the greatest value to his claim to the undisputed ownership, to have a full recognition by the Academy; and if in the decision, the name of Morton could, by any means, be omitted, his point would be gained, and Morton would be forever lost sight of in the subsequent belief of the community and the honors to be awarded in the future to the discoverer.

In order to bring it in the most effective and yet subtle manner, before the several members of the committee, it was necessary that some one should be on the spot to *hint* to them concerning the slanders, and to cast such slurs upon Morton, as if coming from disinterested parties, that the committee would be, perforce, compelled to listen to them. It would not be politic to send

them to M. de Beaumont, for it was well known that he was a personal friend, and was the strong advocate of the Jackson claim; besides he was a foreigner, and of course could only learn the tenor of the libels by hearsay. He therefore wrote to his friend, J. D. Whitney, Esq., then in Paris:

"BOSTON, *March 29th*, 1847.

'DEAR FRIEND:

"I write in hopes my letter may meet you in Paris, to ask you to call on M. Elie de Beaumont, M. Velpeau, M. Roux, M. Milne Edwards, and Dr. Brewster, to inform them in relation to the discovery made by me, of the insensibility to pain effected by inhalation of sulphuric ether vapor. Please let them know that the discovery originated exclusively with me, and that Morton only extracted a tooth by my advice in order to test it—a painful operation.

I wish you would explain to gentlemen in Paris, Messrs. Eddy and Morton's characters, that they may know how much reliance to place in their statements. The whole Eddy family are at war with us, and old Mr. Eddy runs round in the streets and in the grocery stores to tell his falsehoods about me, and to try to run me down.

"We have proofs that Morton is a swindler, and that he has tried to bribe his workmen to certify to falsehoods, and that he attempted to bribe one of the printers of the *Atlas* to insert an article against me, which had been rejected by the editor. He is accused of swindling with forged letters of credit on persons in St. Louis, New-Orleans, &c.

"I have seen the letter in which he is denounced for these transactions, and shall soon have other and ample proofs of his villainy. I think, therefore, his word is not to be put against that of an honest man.

"Do set this matter right in Paris, so far as you can, and oblige

"Your friend, "C. T. JACKSON.

"J. D. WHITNEY, Esq., *Paris*."

"DEAR WHITNEY:

"I add another half sheet to my letter to say that the facts relating to the characters of my opponents, need not be published, though I think they ought to be made known to any one who should appear to be willing to lay their claims before the Academy of Sciences.

"I understand that Morton is actually obtaining certificates favoring his claim, and that he and Eddy are about to send by this steamer letters to be laid before the Institute. They ought to be at once rejected as coming from perjured men. Let the Academy at all events decline any action until informed whether these memorialists are respectable people or not. It is too bad that I should be annoyed by such a man as Morton,* or that any

* Compare the above statement with the following letter written twenty-eight days previously:

one should pay the least attention to his absurd claims. He is completely tied up here by his own admissions. So he will ultimately be proved an imposter.

"If I am commissioned a U. S. Geologist, I shall write to you to assist me by taking charge of a part of the work.

"Please call on Mr. Walsh, correspondent of the *National Intelligencer*, and let him know the merit of the case, and tell him I have sent to M. de Beaumont a full account of my claims, drawn up by Dr. Gay, &c., &c.

"Truly your friend, "C. T. JACKSON."

Maj. Benj. Perley Poore, of Boston, who was in Paris at the period of the investigation by the committee of the Academy of Sciences, as "Historical Agent of the Commonwealth of Massachusetts, and correspondent of the Boston *Atlas*," thus details the manner in which these libels were employed to influence the Academy against Morton. "This impromptu recognition of Dr. Morton," he wrote (referring to the announcement of M. Magendie that the discovery was made "by an American dentist without any allusion to Dr. Jackson"), "as the one who first rendered the qualities of ether of practical use, brought over a volley of missives from Dr. Jackson and his attorneys. A common sewer of abuse was poured forth upon Dr. Morton, who was denounced as having committed every crime, except murder: and when his pamphlet arrived, most Americans were prejudiced against him. I have a letter from Mr. Walsh, then United States Consul, in which he declines considering Dr. Morton's claims; and a friend of Dr. Jackson made personal application to me, to send noth-

To the Secretary of the Executive Committee of the American Society of Dental Surgeons:

"Mr. W. T. G. Morton, dentist, entered his name with me as a student of medicine, March 20, 1844, and attended to practical anatomy in the Massachusetts Medical College during the winter of that year, where he dissected with diligence and zeal, and paid special attention to the anatomy of the head and throat—parts of human anatomy particularly important to the surgeon dentist. He also studied Bell's, and other standard works on anatomy, and attended the lectures of Drs. Warren, Hayward, and other professors. I would recommend him as a suitable person for admission as a dental surgeon. He is a skillful operator in dentistry, both in surgical and mechanical departments, and has studied the chemical properties of the ingredients required for the manufacture of artificial teeth.

"BOSTON, *March* 1, 1847." "CHARLES T. JACKSON.

ing for publication in the Boston *Atlas*, which would even recognize Dr. Morton, whom he denounced as an illiterate quack, of infamous character.

"Another parcel of documents from Dr. Jackson was read before the Academy on the 5th of May, and added to the obloquy cast upon Dr. Morton.

"You will see, sir, that Dr. Jackson completely forestalled Dr. Morton before the Academy, and had an opportunity, through his friend, Elie de Beaumont, to win the confidence of the Academicians, while he and his friends did all in their power to defame and to degrade Dr. Morton. I might, sir, state facts which have come to my knowledge concerning publications made in scurrilous American papers by Dr. Jackson's emissaries against Dr. Morton—a line of conduct which can but enlist in Dr. Morton's behalf the sympathy of every gentleman.

"I have sent a copy of this to Dr. Morton, and can substantiate, if necessary, every statement which it contains."

That these horrible reports could fail in producing some effect upon the individuals composing that committee, is not to be supposed, even if the endeavor was made by them to render a fair, unbiased opinion. If one of the claimants was such a deceitful villain as his countrymen represented him to be, what confidence could be put in his statements, particularly when coming in direct collision with the personal assurances of a man known to them, and highly recommended by every one who mentioned his name. This unavoidable bias, and the forestalling of opinion by early testimony, as explained when speaking of the action of the Academy, goes far to explain the result of their inquiry, and the half recognition of Morton's claim, as shown by the divided award.

The most persevering attempts were made by Dr. Jackson to discredit everything which related to Dr. Morton's claim, his statements, or any of the testimonials which he has received. The following letter which came into the possession of Dr. Morton, in the following curious manner, shows the silent, unobtrusive way adopted to spread round these discrediting reports.

Our present Minister to Paraguay, Mr. Bowlin, while walking in the Capitol grounds one day, discovered a letter lying in his path, which he picked up. Finding that it was a sheet which had been sent in an envelope, and that this had been destroyed or lost, he was forced, in order to discover the owner, to open it to see to whom it was addressed. On looking at the signature, he discovered the name of Dr. Jackson, whom he knew to be an enemy of Morton's, to whom he was a warm friend. Morton's name next attracted his eye, and finding soon what the nature of its contents was, it was by him given to Morton.

"(*Private.*) "BOSTON, *March 28th*, 1852.

"R. H. BACON, Esq.,

"MY DEAR SIR: I am much obliged to you for your note, and for your slip* from N. Y. Evening Post, which is admirable and just what ought to have been said. The more Morton's pretensions are examined, the more will it become apparent that they are without any foundation. *That* medal affair I think will turn out to be an abominable fraud, and it will break up the last ground of hope for Morton. I have seen evidence that the French Academy des Sciences does not give a *medal* for a prize of medicine et chirurgie, but only a *money* prize. The Montyon prize fund for medicine et chirurgie is 44,843 francs, the annual interest of which is paid in the form of prizes, viz.: about 2690 francs. Now I received from the Academy of Sciences of France, one of the prizes of medicine et chirurgie in the Montyon fund, which sum was $500, and this I have had invested for more than a year in the Tremont Bank for my *two daughters*. Now the Montyon prize for 1847 was given to me, and it is probable that "*un autre prix*" given to Mr. Morton was that for 1848, but the —— says it was given to Mr. Morton 'pour avoir introduit cette methode dans la pratique chirurgicale, *d'apres les indications* de M. Jackson.'

"Hence it was for services, rendered to me by Mr. Morton—pay to my mechanical operator, nothing more.

"It would appear probable that Mr. Morton, in order to gull people, by

* The following is the slip referred to: "It is not true, as reported by telegraph to New-York last Monday, that Dr. Jackson has been arrested here by Morton, or anybody else. His lawyer has been served with notice of intended suit. Nothing more. There is a deepening indignation here against the intended majority report of the 'Chloroform Committee.' The thing when it shall come up, will expose more villainy than one could before conceive to environ any claim for government bounty. Dr. Jackson is here, but carefully avoids any personal contact with Members of Congress."

having something more than five-franc pieces to show, has caused by his own order a medal to be made for him by some jeweler *or goldsmith of Paris*, without the knowledge or consent of the Academy of Sciences, and has had the name Montyon *engraved* upon it, and his own name also.

"If the Academy had acted in changing his *autre prix* of money into a medal worth $300 (its actual value) it would appear in the proces verbal of the Academy, and in the Compte Rendus of the Academy, but no such record is to be found.

"Again it has been publicly declared that this medal is a forgery or fraudulent; and if Morton had any papers to show it to have been come by honestly, he would of course show them to the *doubters*. Hence we have a right to doubt, and to demand proof. The medal is anything but proof. It bears no mark of being from an Academy of Sciences in its execution, and 'the Academy has *no* dies for striking a medal' of this kind. So says Monsr. Jules Marcou, geologist for the French government, resident now in Dorchester, near Boston.

"In haste, yours most truly,

"CHARLES T. JACKSON."

It is not to be for a moment supposed that Dr. Jackson, with his familiarity with the rules of the Academy, did not *know* that the medal was genuine, and that it had been really awarded by the French Academy to Dr. Morton. This letter was designedly written to act on the credulity of a newspaper reporter, hard up for an item, and was intended to furnish him the material, out of which to work a "sensation paragraph." Whether it was all true or not, was no matter to Dr. Jackson, only provided it was published, for once out, it would be extensively copied, and no amount of subsequent retraction could remove the false impression.

No sooner was it known, in 1848, that a move was on foot to present Dr. Morton with a slight testimonial from the Bostonians, which was afterward enclosed to him in a silver casket, and before referred to, than there appeared in the various newspapers of Boston, under the signature of Dr. Jackson, a card, cautioning the friends of science and humanity against a combination of interested persons, &c., &c., followed up by his addressing letters to persons who had subscribed, or that it was supposed would do so,

calculated greatly to detract from Dr. Morton's true merits, and induce a reluctance on the part of individuals to have anything to do with this testimonial. He attempted to turn the whole affair into ridicule, and show that Dr. Morton made an improper use of the names appended to the testimonial, because, after the correspondence between him and the committee, and the names of the signers of the testimonial had been published by the committee, he republished it in an appendix to a small work he sent to the press.

While Dr. Jackson was in Washington, in 1849, he was frequently attacking Dr. Morton's character and threatening to impeach the veracity of his witnesses. Dr. Edwards, the chairman, replied, "It will not do to attack Dr. Morton's character, for no man ever came to Washington with better credentials."

Now whether the flourishing of letters from the savans of Europe, which he did do, and the attacks upon Morton's character, were found insufficient to secure the realization of Dr. Jackson's expectations from the committee, can only be conjectured by the sudden exhibition of the following telegraphic dispatch, which was appended to a minority report:

"NOTE.—Before the ink with which we penned our concluding sentence was dry, a telegraphic dispatch was laid before us by Joseph L. Lord, Esq., of Boston, announcing that, on the 31st of January last, the Institute of France awarded the 'CROSS OF THE LEGION OF HONOR' to Dr. Jackson, as the discoverer of etherization.

"It is extremely gratifying to find that our own views concur with the decision which has been pronounced in favor of Dr. Jackson, by the most enlightened body of scientific men in the world."

The chairman of the committee wrote to Dr. Morton, a few weeks after, that "The dispatch was a feather in Dr. Jackson's cap, and had it not been received, I have no doubt the minority report would never have seen daylight."

Upon the announcement of the first Congressional report, notices appeared in the newspapers, asserting that the French Institute, after examining all the opposing testimony, had

awarded the credit of the discovery to Dr. Jackson. This was followed up by articles from Dr. Jackson's attornies, published in the Boston newspapers, purporting to give the views of each member of the Committee of Congress, as inconsistent with the report they had recently made in favor of Dr. Morton. In addition, they detailed conversations they had had with Morton's witnesses,* in effect that they had acknowledged to them that they had falsely testified. This, with the above announcement, took the attention of the public so effectually, that any vantage ground Morton had seemed to acquire by the Congressional report was completely enclouded, and it was not until after the minority report had been reviewed in connection with the decision of the French Academy, that Dr. Jackson came before the public with the following card:

"*To the Editor of the Boston Daily Advertiser:*

"DEAR SIR: It having been alleged that I have stated that the award of the Cross of the Legion of Honor was made to me by the French Government in consequence of a *formal decision*, of the Academy of Sciences of France, in favor of my claims to the Ether discovery—I would remark that I have made no such statement, but that I consider the award as due to the *entire unanimity of opinion* which I have been informed by my correspondent in Paris, and among them, by Mons. L. Elie de Beaumont, a distinguished member of that learned body, prevails among its members as to my right to the discovery.

"Under these circumstances I presume the French Government would not deem *a formal vote* of the Academy necessary—though one may have been passed—before conferring the honor.

"In the Report of the minority of the Committee of Congress on the Ether discovery, the award, in consequence of a mistake in a telegraphic communication, is ascribed to the Institute of France, instead of being ascribed, as it should have been, to the President of France, who in conferring this honor for scientific services, is supposed to act in accordance with the views of the Institute.

"Respectfully, your obedient servant,

"CHARLES T. JACKSON

"BOSTON, *March 31st*, 1849."

* The Report, No. 114—30th Congress, closes with a note alluding to these interviews between Jackson's attorneys and Morton's witnesses in which it says, that it "shows an effort to entrap him in a mode not usually practiced by the legal profession of the United States."

Although the above was a partial retraction, it was too late to repair the injury done.

Dr. Morton had made application for admission to the rights of a free mason, and an examination concerning his demands was still pending before a selected committee. The charges against him were laid before it, as a reason against his admission—for even this gratification was begrudged him by his enemies. But here the plot resulted in failure, for after an examination of them, the charges were dismissed as unsubstantiated, if not untrue, and Dr. Morton was admitted to full fellowship, and passed in regular order through all the degrees.

Again the depreciating statements were laid before the committee of the Massachusetts General Hospital, when engaged in an examination of the two claims. Mr. N. I. Bowditch thus refers to this cowardly and mean procedure, in a letter written by him to the Chairman of the Congressional Committee: "I will not deny that I feel a warm interest in the success of Dr. Morton's application. I regard him as a much-injured man. The system pursued by Dr. Jackson and his friends it is difficult to reconcile with a regard to truth, justice, and honor. The character of Dr. Morton has been attempted to be assailed, his private confidential letters written many years before, have been procured and exhibited, tales to his disadvantage told with a view to influence those with whom he had pecuniary dealings, *and a deliberate attempt made by Dr. Jackson himself to lay before me, as chairman of the Hospital Committee, an anonymous newspaper attack on Dr. Morton, published many years before in a distant state.* All this I felt to be an unworthy attempt of Dr. Jackson and his friends to procure a decision in his favor, in a mere question of scientific discovery, upon the wholly irrelevant grounds of his opponent's alleged private character."

Even as late as the year 1855, when Dr. Morton was about receiving the gratifying and honorable appointment of Commissioner from the National Agricultural Society to the French Industrial Exhibition—(the great Exposition)—the same unworthy use was made of this libelous evidence to poison the minds of the society, and defeat his election, by being laid before the Presi-

dent of the society, the Hon. Marshall P. Wilder. But, as in several of the previous instances, it was again defeated, and a certificate of election was sent him.*

Even to his own town, to his own home, where, with his family, he endeavored to withdraw himself from all contact with his enemies, and forget the persecutions with which he was so constantly assailed, the trained bloodhounds which were panting for his destruction, followed him.

A letter was sent from Boston to the clergyman of the parish which Dr. Morton attended, informing him of the tenor of what was asserted against Dr. Morton, and pointing to the place in Boston where the evidence could be seen and examined. The clergyman visited the place indicated in the letter, and although surprised at what was represented to him as true, acted as behooved a man of his profession. He at once informed Dr. Morton of the fact, and of what was represented against him, but beyond that he kept the knowledge to himself.

This was not the result anticipated, it was not intended that the beginning and the end should be at the same place, it was hoped that the love of gossip inherent in a small town, would quickly spread the news to every inhabitant of the village. A second attempt was accordingly made, and this time with success, copies were furnished to an individual of the town, gifted with less prudence and a longer tongue. He acted according to the suggestions, and soon the report was in the mouth of every man, woman, and child; it lost nothing in its travels, and gathering importance by each successive repetition, it ultimately arrived at most horrific dimensions. A terrible excitement followed, and the angry buzz of the many tongues became like that from a swarm of bees disturbed in their hive.

With the excitement further fomented by special agents, and

* "UNITED STATES AGRICULTURAL SOCIETY,
WASHINGTON, *March* 3, 1855.

"Dr. W. T. G. Morton is hereby appointed a Commissioner to attend and report upon the Industrial Exhibition at Paris, on the part of the United States Agricultural Society.

"MARSHALL P. WILDER, *President.*

"WILLIAM S. KING, *Secretary.*"

very likely prompted by them, it was soon found necessary to furnish some outlet for their united venom. A personal attack upon Dr. Morton their courage would not allow, for there were the terrors of the law to restrain their zeal. At last some wise-acre proposed, that as they could not wreak their vengeance upon the body of Dr. Morton, they should expend it upon some inanimate substitute. He was therefore hung in effigy, and afterward burnt at the stake. A Guy-Faux-like proceeding which resulted in the loss of a spare suit of clothes, a fund of amusement to the small urchins of the village, a safe ebullition of feeling on the part of the older inhabitants, and very little injury to the object of their resentment.

When it was known in Boston that Dr. Morton was again upon the point of making an application to Congress, a panic fell upon the league raised to crush him. Again malice prompted a plan, and again were the charges brought to bear to his disadvantage. Emissaries were sent to show the evidence to the mayor of the city, and the attempt was made to induce him to interfere in his official capacity. It was proposed to him, that after examining them he should write to Washington, and by endorsing them, endeavor to prevent any action of Congress in the matter.

But this wretched scheme was frustrated by the kind interposition of Dr. Morton's friends in the city. Mr. Bowditch and Mr. Burnett went in person before the mayor, and by their representations and personal assurances, induced him to suspend all action on his part, and let matters take their own course.

Finally, at the time of the second application to Congress, and after its especial reference to a committee, the charges were again used to prejudice the minds of the members and influence their decision. "A mass of written and printed statements was offered by Dr. Jackson, tending to impeach the character of Dr. Morton. This your committee rejected, deeming it wholly irrelevant to the subject committed to them by the resolution of the House, and leading to a long and laborious trial of many immaterial issues.

"Dr. Jackson speaks of Dr. Morton in terms of great bitter-

ness. He assails his private character, declaring that it is infamous. Much of his letter to Baron Von Humboldt, which he has filed before your committee as his answer, for this reason would not be suffered to remain on the files of the Court of Chancery, but would be stricken out for scandal and impertinence. Your committee utterly refused, as stated above, to receive evidence of general character, or of particular accusation or defense, for or against either of the parties, not relevant to the issue. But, as the charges advanced by Dr. Jackson against Dr. Morton, in the letter above, must remain on the files of the House, and be printed with the proceedings of the committee, they deem it but just to say, that these charges are not only not supported by, but are utterly inconsistent with, the current proofs in this case."*

Dr. Morton "requested that they should be received, he being allowed time to procure rebutting evidence," but, for the reasons above given, the request was not complied with, and again his desire to see what these charges consisted of, and to bring them to a public examination, was frustrated.

It is highly probable that, although this evidence was not received by the committee in its official capacity, it was examined by the members individually, and that its influence upon them was shown by their subsequent division and the publication of the minority report. That this has some foundation, is shown by the rancor and violence with which the report is occasionally characterized.

No one but a person unfavorably biased against the man himself could have penned such a paragraph as occurs in the minority report:

"Dr. Jackson remonstrated before the committee against any weight being given to Morton's statements. He declared that he was a man of infamous character, and, therefore, wholly unworthy of credit. Dr. Jackson, by his counsel, offered to the committee evidence to prove Morton's infamous character, for the purpose of discrediting him as a witness. The committee declined to receive this evidence, upon the grounds distinctly de-

* Congressional Reports.

clared by them, that the committee should throw out of the question the statements of *both* parties. This the committee have not done with respect to Mr. Morton. The committee, moreover, reprove Dr. Jackson for having spoken of Morton with great bitterness, and declare that 'they deem it but just to say that Dr. Jackson's charges are not only not supported, but are wholly inconsistent with the current proofs in the case.'

"Dr. Jackson thus stands charged as a false caluminator. The undersigned, therefore, believing Dr. Jackson to be an honest and truthful man, cannot, without doing him gross injustice, withhold the evidence as to Morton's character."

Another attempt to prejudice Congress against Dr. Morton was made at the American Medical Convention, which met about the same time at Richmond, Virginia. Careful plans had been laid by Dr. Jackson, and by the attorney of the Wells claim, to obtain from that body the passage of a resolution disparaging the merits of Dr. Morton as the discoverer of anæsthesia, but the doctor fortunately became apprized of their intentions. Letters* of high character were given him by Judge McLean, by the Hon.

* The following are some of the letters above referred to:

"HOUSE OF REPRESENTATIVES,
Washington, May 4, 1852.

"MY DEAR SIR;

"Allow me to introduce to your acquaintance, Dr. Morton of Boston, a gentleman to whom the world is so much indebted for the discovery of another agent, which places him among the benefactors of his race. I have read with great care, the report of the select committee of the House of Representatives, embracing with an appendix upward of one hundred pages, and it seems to me, the report demonstrates beyond a shadow of question, the right of Dr. Morton to the honor of that discovery. I am sure you will find him an instructive and entertaining acquaintance, and I shall be grateful, if you would introduce him to other members of your Convention.

"I am, very truly yours,

"DR. HUGH M'GUIRE, "CHAS. J. FALKNER.
"*Richmond, Va.*"

"WASHINGTON, *May* 4 1852.

"MY DEAR DOCTOR:

"This will introduce to you, Dr. Morton of Boston, and of anæsthetic celebrity. He desires in visiting Richmond, to make the acquaintance

Mr. Falkner and other gentlemen in Congress, and members of the medical profession, to Southern physicians at the convention, while those from the North were already acquainted with his position, and ably defended it.

During the whole of this period Dr. Morton had not seen these charges, which were so constantly employed against him by his adversaries. They had, thus far, not dared to bring to his eyes, either by publishing or by depositing them in the hands of persons in whom they had confidence, so that Morton could have access to test their truth or falsity.

But finding that all the attempts which had been made to use them to Morton's prejudice in this secret manner, had wholly, or in great measure, failed, another much bolder plan was at once resolved upon, which it was supposed would at once blast his reputation and prospects for ever.

Copies of all the charges were furnished to some of the leading newspapers throughout the country, to the New-York Herald and others, but, to their credit be it said, no notice was taken of them. It is not known how they were sent, whether anonymously, by some of Dr. Jackson's friends, or directly with the endorsement of the party emitting them. The miserable truth still remains, that it was hoped and expected that the slanders should be spread broadcast over the country; that every

of some of the medical gentlemen of that city. As you are well acquainted there, you can gratify his wishes, and I am sure you will take pleasure in doing so much for one, who has done so much for our profession.

"Yours, very truly,

"JOHN FRED. MAY.

"DR. ROBERT K. STONE,
"*Richmond Va.*"

"WASHINGTON, *May* 4, 1852.

"MY DEAR SIR:

"This will be handed to you by Dr. Morton, who desires to become acquainted with you, and I take pleasure in introducing him. He is the gentleman who has acquired much celebrity by the application of ether.

"Very truly yours,

"JOHN MCLEAN,

"DR. D. DERKIN,
"*Charleston, S. Carolina.*"

honest man and virtuous woman should be instructed to look upon with holy horror, as an infamous impostor, the man who had done no greater harm than to boldly and openly assert his rights, and oppose what he knew to be a base attempt to defraud him of what was as dear to him as his life.

One, however, was at last found, which was not so scrupulous. In a scurrilous and obscene newspaper, there appeared a letter, which, opened at once before Dr. Morton, the whole of the abominable tissue of charges, which had for so many years been used to his injury. This was headed—

"Boston Correspondence—The great Ether Question and its pretended Discoverer—The Discovery of Etherization—Startling Disclosures concerning the Career of W. T. G. Morton," and was composed of a collection of the most outrageous falsehoods, exaggerated reports, and malicious libels, which could be collected in the space of a column and a half of a newspaper. The whole was made up of unsupported charges and assertions of irresponsible individuals, unsubstantiated by any evidence, and such statements as might be brought to bear against almost any person in the community who had ever had the slightest intercourse or business transactions with his fellow-men. It is evident from its perusal that the gossipy slanders and flying reports from distant parts of the country had been taken as direct and positive truths; that the wish had not been to discover if those reports were true, but merely that some charge should be made.

It is not necessary to recapitulate what all the charges contained in this letter were, or to mention them in any way so as to disprove their correctness; it is simply necessary to say, that as soon as possible after this article appeared, Dr. Morton drew up a full explanation of them, so as completely to refute them. This was handed in to the Congressional committee, who, however, as it had previously refused to entertain the charges against him when presented by Dr. Jackson, felt itself compelled, from a sense of justice, to decline all examination. But as some of the members had either seen privately the evidence, or had perused the article (a copy of which had been laid on the desk of each

member of Congress), they took the pains to look over this rebutting testimony, with the conclusiveness of which they expressed themselves as perfectly satisfied.

Dr. Morton has now on hand, in the form of letters and voluntary affidavits, a mass of facts which should forever set at rest any revival of the libels, or any further attempts to use them for unjust and dishonorable ends.

The publication of this article was the last feather which broke the camel's back; it was a point beyond which human endurance could not, if it ought to, go; Dr. Morton, accordingly, at once lodged a complaint against Dr. Jackson, as the issuer of this infamous verbiage, and had him arrested for libel. Strange to say, the same telegraphic announcement which conveyed the intelligence that a majority of the Congressional committee had concurred in awarding $100,000 to Dr. Morton as the discoverer of Etherization, gave also the news of the arrest of Dr. Jackson on this charge.

This did not by any means suit Dr. Jackson, and so to confuse matters, and as a *dernier resort* in the disagreeable scrape, he flatly denied the truth of the statement. First, he addressed a note to the editor of the "Baltimore Sun," as the readiest paper at hand, in which he declared:

"I have *not been arrested* in Washington, although a suit has been commenced against me, but upon what grounds of action I am wholly unable to say. I am exceedingly desirous that all the matters in controversy between Mr. Morton and myself should be the subject of judicial investigation."

Immediately after which, and to prevent any injury and unfavorable impression in the city of the two contestants, where it was all-important for his future prospects that not a suspicion should be raised against him as having any agency in the appearance of the libels, the following paragraph appeared as an editorial in the "Boston Daily Mail:"

"THE ETHER DISCOVERY.—The following was telegraphed to the *Transcript* and *Journal* on Monday evening:

"'*Washington, March 15th. The committee in the House have decided upon awarding* $100,000 *to Dr. Morton for his discovery*

of Ether. Dr. Morton has caused the arrest of his competitor, Dr. Jackson, for libel.'

"This statement is false in many respects. Dr. Jackson *has not* been arrested for libel, although it is true that a majority of the committee have decided to recommend an award of $100,000 to the discoverer of the anæsthetic properties of sulphuric ether. It is rumored that the committee were *Mortonized*. A minority report of the committee to whom the matter was referred, will undoubtedly expose one of the most stupendous attempts that has ever been made to defraud the United States Government, by false evidence, the exhibition of a fraudulent medal, &c. The matter will be thoroughly sifted on the floor of the House, and the due amount of ignominy will recoil upon the participant in this iniquitous conspiracy to deprive a great discoverer of all benefit of his discovery. Morton has no more claim to this discovery than the Fejee Mermaid; his entire merits in the premises are precisely the same as those of a thief who enters a person's house, and finding some valuable article, attempts to appropriate it to his own use and behoof on the ground of *discovery*. The attempt to pull the wool over the eyes of members of Congress, to mention nothing else, is in perfect character with the unblushing impudence of the individual."

Suspecting from the tone of this paragraph from whose pen it must have originated, an examination was made, which the following testimony fully explains:

"On this March 19th, 1852, I carried to the office of the 'Daily Mail' the newspaper article about ether of Thursday, March 18th, annexed hereto and verified by my signature. Mr. J. N. Bradley was there. I asked him, Bradley, 'On whose authority did your editor publish this article?' He replied in two words, 'Dr. Jackson.'

"N. I. Bowditch."

The bold declaration of Dr. Jackson in the "Baltimore Sun," was at once contradicted in the "Washington Union," by a friend of Dr. Morton, in order to relieve him of the imputation of falsehood, accompanied as proof by a note from the lawyer of Dr. Morton, to whom he had intrusted the prosecution.

* "DEAR SIR: The suit for libel was instituted as directed by you, and Dr. Jackson was arrested on yesterday.

"Very truly yours,

"J. M. CARLISLE.

"Dr. W. T. G. MORTON.

"*March 11th*, 1852."

"Here was a kettle of all kinds of fishes."

Here was a direct conflict of veracity. Here was one assertion totally contradicted by another's evidence. It was evident to all the denizens of the national capital, as they read the morning papers, that there was a lie somewhere, that if one was right, the other must be wrong, and that the *onus* of proof was most decidedly against Dr. Jackson. All the scandal-mongers waited *auribus erectis* to hear what was to come next; whether a duel between the two belligerents, with ether bottles, he who longest withstood the action of the agent to be declared the victor, and by the "code of arms," whitewashed against all insinuation, or that Dr. Jackson, concluding "that discretion was the better part of valor," had incontinently abandoned his baggage and camp.

But they were gratified with neither the one nor the other. Auxiliary reinforcements came to the rescue. Dr. Jackson's Washington attorney finding that by his obstinate and precipitate assertions, he had placed him in a most unenviable light as the manager of his affairs, and wishing to extricate Dr. Jackson from his dilemma, published the following neatly-worded and ingenious epistle, which fully relieved his embarrassment:

"*To the Editor of the Union:*

"WASHINGTON, *March* 26, 1852.

"My attention has been called to an article in your paper, of the 24th instant, which is calculated to convey the impression that Dr. Jackson intentionally made a mis-statement, in a letter addressed to the Baltimore Sun, in relation to a suit against him for libel. As Dr. Jackson has left this city, I deem it my duty, as his attorney, to correct this impression.

"At the time of the service of the process referred to, Dr. Jackson was stopping with me. An officer called at my house (in the morning) and desired an interview with Dr. Jackson. Upon showing him the writ, the officer, in my presence, politely said that he was instructed by Mr. Carlisle, the attorney in the case, not to require bail, and that it would be sufficient for

Dr. Jackson to endorse his name upon the writ. This was immediately done, and, after a few moments' conversation, the officer retired. The courtesy of Mr. Carlisle, and the politeness of the officer, in causing the service to be made in the least offensive manner, were fully appreciated.

"The impression conveyed, and apparently intended to be made, by the statement heralded throughout the country, that Dr. Jackson had been 'arrested for libel,' was that he had been disgraced by being forcibly seized and detained in custody by the officers of the law. This was the view of Dr. Jackson's friends at the North. In that sense he certainly had not been arrested. I am confident that Dr. Jackson never believed himself to have been arrested in any sense, and supposed that he had merely been served with a notice of the commencement of a suit. If there had been any error, the fault was wholly my own, in not having explained to him that there was a *technical* arrest.

"The statement in your paper furnishes the first information that has been received of the grounds of action in the libel suit. I am authorized to state that Dr. Jackson was not the author of the article in the Police Gazette reflecting upon Mr. Morton's character—that it was not prepared at Dr. Jackson's instigation or suggestion, and that he never distributed a single paper. I have in my possession the sworn affidavit of the regular correspondent of the Police Gazette, declaring the article in question to have been wholly written by himself, and to have been distributed by him.

"The public will soon have an opportunity to judge of the relevancy of the testimony offered to the committee in Congress, and are desired to suspend their judgment until all the facts in relation to this extraordinary controversy are before them.

"Respectfully, your obedient servant.

From the time that the suit for libel was brought, early in February, 1852, Dr. Morton, as will be shown as we advance, was obliged to be in Washington, until his bill came up and was defeated in the Senate, in August following. The occasion of this defeat, rendered it necessary that he should devote every moment of his time during adjournment of Congress, to the taking of testimony *in perpetuam*, in both Hartford and Boston, that he might have it to lay before Congress in the following winter, to meet the unexpected ground of his opponents. This took every moment of time and all the means he could command, and was the only time which he could have to prepare for his suit against Jackson. His preparation for this suit involved the necessity of

his taking depositions in different states, by giving notice to Dr. Jackson first. This course was necessary in order that he could use the testimony in a court of law. It was impossible to attend to take depositions in the ether discovery, and in the libel suit both at once, because he must be present personally; he therefore decided to fight his claim to the ether discovery, and to take his chance of prosecuting the libel suit at a future day; from this time until his final defeat before Congress, he was compelled to be in Washington every day Congress was in session, and to incur heavy expenses. When he was liberated, then it was too late. He was left too helpless, and in no condition to carry on a libel suit, that involved, even in the preliminaries, the taking of depositions that would cost many months of time and several thousands of dollars.

It was unreasonable to expect friends, after he had drawn so largely on them to help him prosecute his application upon the government, to now come forward and assist him to thousands more, in a conflict which would drive his opponent and powerful family friends to spend their last dollar, before he should be imprisoned for libel.

His friends and advisers argued that it would be difficult, if not impossible, to trace the authorship of the scandalous production to Dr. Jackson, or to his instigation. From what was known of his past manœuvres it might seem highly probable that it looked to him as its originator, but the great difficulty lay in decidedly and clearly tracing it. The suit has, therefore, never been brought to trial.

For many reasons it is much more preferable that this has so happened. All trials on such grounds are sufficiently obnoxious to our better feelings. But how much more would this be the case, when the defendant is a highly-educated, distinguished man, with a large and appreciative circle of relatives and friends; and upon the other side is he who has accomplished so much for the well-being of his race.

Had Dr. Jackson been content long ago, to abandon his attempts on the character of Dr. Morton, all might now have been dismissed from examination, and no unpleasant exposure would

have been rendered necessary, in this book, or at any other time. But this is not the case; this very delay to prosecute the suit has seemed to embolden his opponents to follow Dr. Morton still closer; within the last month they have been circulating these slanders through letters and personal interviews with the Mayor of New-York, Doctors Parker, Francis, Barker, and other eminent gentlemen interested in raising a national testimonial for Dr. Morton. The following letter was addressed to the Mayor of New-York, under the date it bears, and sent by him to the Board of Ten Governors to induce them to reconsider an appropriation alluded to in the letter. Compare it with the letter immediately following, from the Mayor of Boston:

"BOSTON, *September* 16, 1858.

"HON. DANIEL F. TIEMANN, *Mayor of New-York:*

"SIR: I have learned by a letter from a gentleman in New-York, and from the public newspapers, that the Governors of the New-York Almshouse have voted $1,500 to Wm. T. G. Morton, for my discovery of anæsthesia by ether, and that too without investigation of my claims to the discovery, and wholly on exparte statements by Morton, and his associates.

"I trusted, that the good sense of the Governors would have led them to regret the false claims of Mr. Morton, and that a man of his notorious bad character, would be looked upon with suspicion at least, and that due caution would be had in passing on the claims of such a man. May I now ask you, if it is within your executive jurisdiction, that you would interpose your veto to this unprecedented act of the Board of Ten Governors, and have the matter properly examined.

"My reasons I stated to-some extent in a former letter to you.

"Most respectfully, I have the honor to be,

"Your obedient servant,

"CHARLES T. JACKSON."

"MAYOR'S OFFICE, CITY-HALL,

"BOSTON, *May* 13, 1858.

"TO HIS HONOR, MAYOR TIEMANN:

"*My Dear Sir:* Allow me to introduce to your favorable notice, Dr. Wm. T. G Morton, a gentleman well known to you by reputation, as the *discoverer* of the power of ether to render persons insensible to pain during surgical operations. The purpose of his visit to New-York he will state to you. He carries with him the highest recommendations as to *character and truthfulness*, from the medical faculty, and our scientific men, and *I sincerely* hope, that the object which he wishes to accomplish may meet with a successful result in your metropolis.

"I remain, truly yours, "F. W. LINCOLN, JR."

The production of this long and disagreeable mass of facts may be opposed by many, as irrelevant to the great question of priority of claim to the discovery, and as placing in a most unenviable light, a man who perhaps has only acted unwisely ; more from impulse and mistaken judgment, than from a bad heart. It may be asserted that the publication will not produce an effect any more favorable to a right appreciation of Dr. Morton's position, while it is designed to injure Dr. Jackson, and rake up much that had better be forgotten with many other unfortunate events of the past.

But it must be remembered that this is the first time a public attempt has been made to remove from Dr. Morton the stigma which, in the minds of many, has been attached to his name; that for *eleven long* years these rumors and charges have been working their effects, not alone in his own "country and his own town," but everywhere over the surface of the globe, where the slightest interest has been felt in the discovery or in the controversial merits of the question ; that for this long period Dr. Morton has been placed in a false position, one from which he was powerless to extricate himself—that the many tongues of slander have been in active operation against him, while there was no one so situated in respect to means for procuring refuting information, who cared to come forward and engage in such a disagreeable and profitless task as the attempt to explain them away.

Dr. Morton long has wished that the matter could be allowed to die out ; but it was not so designed. Much of the mischief is done, and now cannot ever be remedied. But for the future let all individual considerations be thrown aside in the controversy. Let the public place itself in the position of Dr. Morton, and consider that because he has been the means of conferring a great and valuable blessing, and has been perforce compelled to come forward more publicly, and in a different character from what he ever wished or expected, that to him, to his wife, and to his children, there is no honor, no reward, no recognition which is so permanently valuable as his own good character. Let all the past be forgotten, and the claims of the con-

testants, should any doubts or discussions ever again arise, be argued from their true stand point, the relative proofs which each is enabled to bring for examination, of their priority in time and in evidence of what truly constitutes a discovery.

Let each man consider the words of the Hon. Mr. Walker in ending his report. That: "It is in vain to attempt success by depreciating the character or capacity of Dr. Morton. He is recognized wherever known as a man of integrity and honor, of great enterprise and of high capacity. Conscious of his original claim to this glorious discovery, he has decidedly asserted his rights when necessary, amidst sore buffetings of fortune, and the close-cleaving malignity of powerful adversaries, certain that he would eventually receive a universal recognition of his position. Institutions, learned men, and able jurists, both at home and abroad, have gradually united in awarding to him the glory of a discovery that will solace his declining years, and impart to his memory a hallowed radiance, as a benefactor of the human race. He has proposed referring the subject to the decision of a judicial tribunal, and has ever avowed his readiness—in the noble language of De Foe—"to stand or fall by the public justice of his native land."

CHAPTER XVI.

PECUNIARY DIFFICULTIES.

"Forgive, * * * * *
Glancing an eye of pity on his losses,
That have of late so huddled on his back;
Enough to press a royal merchant down,
And pluck commiseration of his state
From brassy bosoms and rough hearts of flint."
—*Merchant of Venice.*

In order that the reader may fully comprehend the events which will be narrated in this chapter, and the reasons of their occurrence, it will be necessary to again revert to the period of the first publication of the discovery. It is very probable that the perusal may induce the same objections urged against the statements contained in the last chapter, that the details have no bearing upon the merits of the "Ether Question," and that the claims of either contestant could be equally as well established without their mention. But this is not in reality true. The manner and period of their occurrence have exerted a great influence over Doctor Morton's position and prospects, and have materially guided his action in the past; it seems, therefore, as if they fairly comprised a portion of the "History of Anæsthesia."

Among the first persons in his own profession upon whom Doctor Morton called after the trial at the hospital, and communicated his discovery, was his old friend Dr. N. C. Keep, the same person who has before been mentioned, when speaking of the outset of Morton's career as a dentist, in Boston. At this time Dr. Keep was Vice-President of the American Society of Dental Surgeons, in receipt of a fair amount of practice, and much esteemed personally by others besides Dr. Morton.

At this first interview, Dr, Morton fully explained what he had accomplished, what were his intentions for the future, and what he expected as a result of his labors. He likewise showed

Dr. Keep a vial of the ether which he was then using, as Dr. Keep had never, to that moment, either used it or seen its employment. The story produced quite an effect upon his hearer, and at his request Dr. Morton left the vial of ether, that he might employ it upon the first case in his own practice, which, in his judgment, might need it, at the same time he procured from Dr. Morton full directions for its proper employment.

The practice of Dr. Morton, which had been for some time back steadily increasing, was now fully great enough to occupy the whole of the time of himself and assistants, without the additional burden his discovery was likely to bring upon him, both from an increase in his business, and from the necessary steps to extend its use. Finding that it was imperatively necessary that he should have more leisure time to prosecute his investigations, and be less under restraint, Dr. Morton decided to relieve himself as much as possible of the onus, by taking into his office some person in whom he had confidence, who could relieve him of many of those operations which he was then forced to give his personal attention to.

During the conversation just referred to, the information was dropped by Dr. Keep, that Dr. Wilson, one of the principal operators in his office and soon about to become his son-in-law, as reported, proposed quitting him. As subsequent inquiry showed this to be true, the proposition was made by Dr. Morton that he should enter his office, at a fixed salary. This arrangement pleased Dr. Wilson, and met with the approval of Doctor Keep, who freely consented to a release from the then existing engagement between them.

The supposed contemplated matrimonial alliance of Dr. Wilson placed him on the most intimate terms in the family of Dr. Keep, and after his transference to his new location, he informed Dr. Morton that he had often held conversations with Dr. Keep in relation to the business advantages which the discovery of etherization was likely to give Morton, all of which had a tendency to show how great the interest of Dr. Keep in the subject was.

A few days after the entrance of Dr. Wilson upon his duties, Mr. Morton received the following note:

"DEAR SIR: I want to see you in relation to an arrangement to use the gas. Have not been able to leave in the day-time, and suppose you are full also. "Respectfully yours, "N. C. KEEP."

As soon as his engagements permitted, Dr. Morton called round to reply, and held a long conversation upon the use of ether, and the most feasible plan by which Dr. Keep might be enabled to reap some benefits from its administration. The course of the conversation showing that Dr. Morton was still overwhelmed with business, and was anxious to be relieved of some portion without too great a pecuniary loss, Dr. Keep made the proposition that they should associate themselves as partners, upon some terms to be subsequently agreed upon, as mutually advantageous. This proposal proved by no means unpalatable to Dr. Morton, who would have been glad to have found any one in whom he could place confidence, but found an especial attraction in the position given Dr. Keep by his long experience and his honorable office in the Medical Society.

A careful examination of the facilities of Dr. Morton for the transaction of his business, which was made a few days later, together with the prosperous state of finances and character of practice, which an inspection of his books showed, proved satisfactory to Dr. Keep. A co-partnership was therefore agreed upon between them, and on the 28th of November the articles of agreement were drawn up between them on the following terms:

The co-partnership was to continue ten years. The profits were to be divided equally, and at least once each year. In case of the death of either party, the other was to continue the business and divide the profits as before with the legal representatives of the deceased party. Lastly, Dr. Keep was to give his whole time and attention to the dental business.

This last clause was introduced to allow Dr. Morton full liberty to devote himself to his discovery, and even to go to foreign countries, for at that time it was his intention to go to Europe.

It seemed as if no possible objections could exist against this arrangement, and as if it would prove favorable to both parties. But a short time after his installation the "Dental Manifesto"

made its appearance, which so alarmed Dr. Keep that he at once proposed a dissolution of the co-partnership, giving as a nominal reason his ill-health.

Although Dr. Morton knew that he possessed a legal hold upon him, still he did not wish to enforce it. Consequently, on the 31st of December, just one month from its formation, the partnership was dissolved, each separating with good wishes and hopes of each other's ultimate success. Nevertheless, this abrupt and sudden termination of his business prospects did Dr. Morton great injury in the estimation of those who at that time did not stop to consider, and had not the means to judge from the stand point which these pages unfold. Indeed, the short duration and sudden dissolution with Dr. Keep are to this day urged by some against Dr. Morton.

The pleasant terms upon which the two partners separated are well expressed by the following note:

"Dr. Keep acknowledges the receipt of the valuable token of Dr. Morton's friendship this day presented (a gold pen with pencil). In using it for the first time, he would express the deep interest he feels in Dr. Morton's welfare, and sincerely wishes him a happy new year.

"74 Boylston Street, *January*, 1847."

The four months subsequent to the withdrawal of Dr. Keep were fully employed by Dr. Morton, as has been before stated, with the multifarious duties incident to his discovery, and very little time during this period was allowed him for relaxation or social visiting among his friends. Still, however, he occasionally met Dr. Keep, and was greeted by him on each occasion with the warmest expressions of good feeling.

In April, Dr. Wilson also left; but after his departure was often in the office of Dr. Morton, and kept up his intercourse with him and his other assistants.

With affairs in this condition, imagine the surprise and consternation of Dr. Morton when, on the day of the destruction of Dr. Jackson's bond, as told in the last chapter, he was furnished with the just-issued pamphlet of Dr. Gay, and saw over the signature of Mr. Keep an affidavit taken but two days before, which was intended to throw the most entire distrust over Mr.

Morton's knowledge of the use of ether, and implied that in his hands it could not be less than excessively dangerous. It closed by stating—"I remonstrated with Mr. Morton in reference to his mode of practice in this respect, till I found it of no avail."

This apparent "going over to the enemy" annoyed Dr. Morton considerably; but although surprised at the very decided and almost gratuitously bitter manner in which the affidavit was worded, he did not wake up to the full perception of the danger which his past confidence in others exposed him to, if once it should be designed to injure him. But the blow soon came, and in such a manner that he could not close his eyes to his perilous position.

Only forty-eight hours after, at the close of a most fatiguing and harassing day in the city, Dr. Morton had retired to his cottage in the country, and approaching his home through the gate of the main entrance, had ascended the hill from which the first glimpse of his door could be had, when he was surprised by the air of quiet which pervaded the house, and by the non-appearance of his children, who were accustomed to wait at the porch until he came in sight, and then run to welcome him. Soon, however, his eyes lit upon a strange man leisurely pacing up and down the length of the piazza which crossed the front of the house.

This was a striking contrast to the group which ordinarily occupied the same place, and the greeting which he was accustomed to receive. Surprised and anxious, Dr. Morton hastened his steps, and on approaching the stranger, asked:

"Do you not find the family at home, sir?"

"Yes," was the curt reply.

As no additional explanation was given, Dr. Morton passed on and entered the house. In the main entry he met his little son, who said that his mother wished to see him at once in the nursery.

On reaching the room, Dr. Morton found the whole family assembled, and with evidents marks of anxiety and fear on each countenance. To his inquiry, "Why they were all gathered in that hot room?" he wife answered by asking him if he had not

seen that strange man who was below. "He has been here all day," she added, "and has acted so strangely. Who can he be? What can he wish?"

The ignorance of his wife as to the object of this singular visit, led to a further explanation, by which Dr. Morton learned that in the morning as his wife was starting away in her own carriage for a ride, she was surprised by seeing a buggy driven furiously up the avenue and toward the house. She stated that she was some distance down the avenue herself when she was passed by this reckless Jehu. In consequence of the distance she then was from the house, and with a mere passing thought of the rudeness of the driver, who had nearly upset her own vehicle in his attempts to pass, she had continued her ride.

On her return a couple of hours later, she was surprised on entering the parlor to find the same stranger lounging on the sofa with his hat on. Thinking from his actions and appearance that he was insane, she had become alarmed, and with the whole family had taken refuge in the nursery, first taking the precaution to send to her father's for assistance. Her mother had at once, on the receipt of this message, come over, but with the information that her husband had left town, and would not return until night.

Through the whole of the rest of the day the family had confined themselves to their refuge in the nursery, where with closed and bolted doors, they had waited with impatience the return of the doctor.

Immediately on hearing this story, Dr. Morton started for the piazza, to discover what explanation was to be given to this mystery. Just as he reached the hall door, he was met by a messenger from his office in the city, who handed him a letter, saying that it had been left just after his departure by a gentleman, who gave explicit directions that it should be handed to Dr. Morton as soon as possible. Thinking it of too great importance to be left until morning, his servant had taken it and followed by the next train.

Approaching a light, Dr. Morton tore off the envelope and read this singular communication:

"DEAR SIR: I have this moment learned most singularly of a deep laid plot to ruin your practice, and to drive you from the State. Were it not that it embraces steps intended to annoy and disturb not only yourself, but your innocent wife and children, and that through your humane discovery you have saved my life, I should not feel justified in committing this breach of confidence which I do in making this statement.

"I can at present do no more than counsel you to guard the impulses of your fiery nature, and trust to Providence that all will end as well as I sincerely believe it will.

"*One whom you have forgotten, but who will never cease to remember you.*"

Immediately after the perusal of this note, the connection of this mysterious stranger with the plot referred to, occurred to Dr. Morton. Accordingly, he at once approached the man and demanded an explanation of his strange conduct, and the reason why he was there at all. To this the man replied that when inquired of by the proper parties he was ready to communicate his business, but to no one else.

Keeping his temper, notwithstanding the insolence of the man, Dr. Morton informed him who he was, and as the head of the household, demanded his business. To this information the stranger replied by a look of the blankest astonishment, and at once apologized for his conduct, excusing himself on the ground that he supposed that Dr. Morton was quite an old man.

He then added, that he was ordered there by the Sheriff as a *keeper* of all the goods and chattels belonging to Dr. Morton, to await the decision of a suit which had been commenced against him by a creditor in Boston. Who the creditor was, for what debt, or any further information, the man could not give—he merely knew that he was ordered there to stay and take charge of the personal property.

For a long time after this conversation, Dr. Morton paced up and down the gravelly walk by the side of the house, revolving in his mind what had better be done under the circumstances—what account it were best to give to relieve the anxiety of his wife, and in trying to guess who this summary creditor could be.

Finally, with a smiling countenance, but a heavy heart, he

rejoined his wife, and informed her that it was all explained—that he could account for the visit of the stranger, but that she must wait for further information until the ensuing night. This nominally, if not in reality, pacified her, and the rest of the night was passed quietly, if anxiously.

On reaching Boston the next morning, the first person met by Dr. Morton, was one of his patients, to whom, as usual, he addressed himself with a cordial salutation. Greatly to his surprise, instead of a polite return, he was accosted in a cool, cutting manner, with the words: "This is a very serious business, Doctor, my mother-in-law is in great distress."

Not knowing very well what his words implied, and feeling that he must say something, Dr. Morton replied by the *naive* question, as to whether it was in his power to do anything for her? "Do for her," repeated the gentleman, emphatically, "why, the very mention of your name would drive her frantic. Her physician has scarcely admitted the members of her own family to see her since her interview with the officer."

Completely mystified, Dr. Morton endeavored to procure an explanation; but with an air which precluded any further pursuance of the subject, the gentleman left him.

On reaching his office, he found a lady, one of his most valuable patients, descending the stairs. He addressed her with an apology for not having been more punctual to his hour of appointment. But, with the remark: "Oh, it is no matter, I shall not want any more attention," she hastily departed, leaving him to gaze after her in speechless astonishment.

Mystified and worried, Dr. Morton was met at the head of the stairs by his servant who informed him that there was a lady waiting for him in the office. "She is awfully fidgety," added the man in a low voice, "and won't keep still for a moment." The first remark of the lady was, "I suppose you can guess, doctor, what I am here for? I think they might have been a little more civil with me. Now, doctor, you won't see me go to court, will you?"

No satisfactory intelligence could be procured from her otherwise than that an officer had been to her house, and had pre-

sented some law papers, and frightened her almost to death. But what it was all about she did not know, and finding that Dr. Morton's name was on the paper given her, she had hurried to him for information.

During the next few hours several persons visited him, some frightened, but most indignant, who all made demonstrations more or less similar to those above described. Among them was an old gentleman, who, having, by some erratic turn in the wheel of fortune, been reduced from comparative affluence to poverty, had induced Dr. Morton to become his bondsman for his situation in the office of a periodical. The past month having been an unfortunate one for him, he had been obliged to use for family expenses all the receipts for the past month, but this had been no unusual thing with him, and a short time was all that had been necessary to supply the deficiency. But that morning he had received a summons to appear at once at the office and settle. Fearing that some trouble would ensue if he attended without the necessary sum, he had been obliged to fall back upon Dr. Morton for the necessary two hundred dollars.

Others of the visitors were old patients who had long previously settled their accounts, and at that moment owed him nothing. But who all had come to find out why bills once paid had been a second time presented.

From all these interviews, Dr. Morton discovered the key to the whole mystery Access had been had to his account book and list of patients, and each one had been *trusteed* for the amount due him by them, but owing to some mistake, every name on the list had been treated in the same manner, and thus not only his debtors, but all those who had ever been, had been served with a writ of attachment. But the worst of the whole affair by far lay in the fact that each one supposed that it had been done by Dr. Morton himself, and thus their indignation fell solely upon his head.

No one but a professional man can fairly appreciate the terrible effect which such an act would produce. With them all hopes of success depend upon the possession of the esteem and friendship of their patients. And one act of such meanness as

this would be sufficient to effectually ruin the prospects of a medical man for a lifetime.

The interpretation can be given in a few words. His enemies, not content with blasting his character, had found it expedient for the success of their plans that he should be ruined in pocket also. They knew that in course of time the cloud which could be raised to obscure his good name must clear away, and the removal bring it out more bright from the contrast. But if by any manner he could be bereft of the means of contesting their plans, or of prosecuting his claim, he would be left at their mercy. They knew that owing to the short period since his establishment in business he had but a small surplus capital, that his sole and only revenue came from his practice, that this income he had freely spent in purchasing and embellishing his home in the country, and in introducing this discovery, and therefore that once his business ruined or affected in any way he was defenceless. The readiest way to do this was by driving away the patients then his, and by preventing new ones from visiting him.

The manufacturer of the inhaling machines with whom Dr. Morton then had a large contract, under this state of things, believed that his debt was in great danger; that Dr. Morton, from the great amount of money he had been freely expending in introducing his discovery, and his ill success in disposing of his patent-right, would soon be a ruined man. Another reason, however, which influenced him, was a statement which had been published by Dr. Morton to his own pecuniary injury, that a sponge was both a safer and more efficient means for administering ether, than any apparatus. The manufacturer at this time had for Dr. Morton a large number on hand, and it was evident that as they were useless for other purposes, they would all be left upon the doctor's hands as unsaleable.

Another person, influenced at the same time, was a gentleman who held a note drawn by an inhabitant of Boston, and given by him to Dr. Morton, for an indebtedness. This note Dr. Morton at once had passed out of his hands, *endorsing it, and waiving demand and protest.* On the note becoming due, it had been

protested, and this fact had reached the ears of Dr. Morton's persecutors. Representations were made to the holder of the note that it would never be paid. Dr. Jackson himself informed the holder of one of these claims, that a public exposure was to be made, that would ruin Morton.

Influenced by these considerations, and alarmed for their money, legal proceedings had been at once commenced by both these parties, the preliminary steps being the installment of a keeper in the house of Dr. Morton, and the trusteeing of all sums due him by his patients.

Moreover, the proceedings were commenced not in any of the local courts, but in the Circuit Court of the United States; which choice allowed the attachment of property, not only in Massachusetts, but over the whole Union. As many of the patients of Dr. Morton resided out of the State, the annoyance which was occasioned them by this act can be better imagined than described.

Another severe infliction was at the same time visited upon Dr. Morton. On the very day when these events transpired he had been much vexed and troubled by the absence of his principal operators. Patients, many from great distances, with whom appointments had been made, presented themselves, and impatiently waited for the attendance expected. Persons for whom work had been commenced again called for the completion. But no one was there to attend to them. Dr. Morton was too much occupied with the business peculiarly his, and with his own troubles, to be able to pay them the attention demanded; and what made the case worse, was unable to give the slightest explanation for not complying with his promises, or any reasonable excuses for the singular conduct of his assistants.

But all things must have an end, and this terrible day finally came to a close, and Dr. Morton, heart-sick and crushed, was allowed again to return to his own home. The sympathy of his wife and the cheering presence of his family afforded some relief; but still the cloud overshadowed him, and the night was passed even more unhappily than the preceding one, for now it was evident that his trials had but commenced, and

that he was to live for some time, a life of suspense, constantly expecting some new and unexpected persecution.

On rising the next morning, he prepared to return to Boston, and with his mind more calm and equable from his night's repose, determined to courageously face his troubles, and by his very cheerfulness, thwart the pleasure to be gained from the malicious designs that he saw existed against him.

But he had not fully measured his own powers, or sufficiently considered all the means which could be employed to harass him. One blow struck, it was necessary to follow it at once by a second, in order to prevent any reaction, and complete his discomfiture. The next one was equally as well aimed as the first, and produced fully as much effect.

On visiting his rooms an explanation was given for the absence of his operators on the day before, in the fact that they had deserted him entirely. Some of them had taken rooms nearly opposite his own, and had established themselves on their own account. Confusion followed, as a matter of necessity, for many of his patients who had before visited his office, did not know him personally, and had been operated upon by his assistants. They were, therefore, entirely ignorant as to which of the persons they had seen was Dr. Morton. This was taken advantage of by the seceders, for on the return of the same patients, they were induced to revisit the rooms where they saw the familiar faces, thinking that the office had been removed, and never once suspecting that they were not still in the rooms of Dr. Morton. This is proved by notes which Dr. Morton has in his possession, directed to him, and coming from persons whose names are not upon his account books at that time. Some of them speak of work which they wished finished, or complain of inattention and negligence at previous visits. Indeed, it is probable, from information which has been given by various persons, that some one represented himself as Dr. Morton. For it was reported that during the summer Dr. Morton had visited Nahant, and several other towns, and had performed operations, and taken orders; conversations held with him at these place were detailed whereas, during the whole of this time, he was not at

any of these places. At the time these assistants left Dr. Morton, as was ascertained by a reference to his books, there were under way twenty whole sets of teeth, valued at about four thousand dollars. These sets were in different stages of progress, and were entirely lost to Dr. Morton. But the end was not here.

Some portion of his assistants were left behind, but of a character totally unfit to manage his business, except in conjunction with his principal assistants, who had left, and it was necessary for Dr. Morton to terminate their engagements on the best terms he was able. This gave rise to dissatisfaction and hard feelings. They went over to the other side with their sympathies, and testified that Dr. Morton unbosomed himself to them, by admissions fatal to his own claims, and entirely at variance with his course publicly pursued with everybody else, and on all other occasions.

The rest of that year was a sad one. Proceedings at law followed close upon the settlement of each returning demand. Every claim which could be found against him, was either pressed for payment by the creditor, or got into the hands of Jackson's attorneys, and was at once urged by them. His practice was ruined, as previously stated, and patients deterred from visiting him through fear of being implicated in his troubles, and exposed to the annoyance of a lawsuit. His character seemed irretrievably injured from the diffusion of malicious reports, and the unfavorable light in which he was presented by those to whose satisfaction the trusteeing of the patients had never been explained. The surplus capital which he had laid aside was quickly swallowed in the payment of his debts, or in lawyers fees. His home-farm in the country ceased to afford him the pleasure it formerly did, for, harassed as he was at every turn, even that quiet retreat seemed te lose its soothing influences.

So bitter did the trials of Dr. Morton at last become, that a feeling of sympathy was excited in the breasts of many who otherwise might not have interested themselves in him or his affairs. Among those who prominently stood forward and es-

poused his cause, was Mr. N. I. Bowditch, one of the trustees of the hospital, and a gentleman who has ever since continued a warm and steadfast friend. Finding, from examination in his capacity as a committeeman, appointed by the trustees of the hospital to examine this subject, how baseless were many of the injurious reports in circulation, he continued still further his investigations, until he had discovered the trying position in which Dr. Morton was placed, and that unless he could be at once relieved from the oppression, he would be irretrievably ruined. Quietly and unostentatiously he began to untangle the skein and arrange many of the most formidable obstacles in the way. But in order to verify the correctness of his belief, and also to secure proof for his report, he opened a correspondence with various persons whom he knew to be the most conversant with the position of Dr. Morton and his affairs, requesting all the information which they could give him upon the subject. The following letters are some of the replies furnished, in compliance with his request:

"BOSTON, 27 STATE-STREET, *Jan.* 14, 1848.

"N. I. BOWDITCH, ESQ.,

"DEAR SIR: It gives me great pleasure to be able to communicate, in answer to your inquiry, the information I have relative to the pecuniary embarrassments under which Dr. W. T. G. Morton labors. I was employed, last summer, to collect a debt of him, and was thereby led into an examination of his affairs, the result of which was that I found he had no means of paying his debts, or supporting himself and family, except the proceeds of his professional labors. *The debt which I was engaged in collecting was contracted in carrying out his plans in respect to his discovery; and with several other debts contracted in the same way, were pressed upon him for payment.* Suits were commenced, and a large number of his patients trusteed, which together with the neglect which his business had suffered while he was employed about his discovery, materially diminished the extent of his practice. I am satisfied that then Dr. Morton made every effort which could reasonably be required of him, to pay his debts, but could not. They are mostly still outstanding against him; and, with his present impaired state of health, the proceeds of his labors, although devoted to this purpose—as heretofore, I believe, faithfully done—will be so far diminished that he will not be able to meet his debts for a long time to come, if at all; while he is, and will be, continually subject to annoyances and trouble on account of them. . . . . I have gone somewhat into detail, that you may see the nature of Dr. Morton's embarrassments. *They have grown out*

of his efforts in a cause which has resulted in a great public good, and he deserves a better fate than to be left to sink under them.

"Yours, truly,

"BENJ. F. BROOKS."

"BOSTON, *Jan.* 8, 1848.

"N. I. BOWDITCH, ESQ.

"DEAR SIR: In reply to your request to communicate such knowledge as I may have respecting the present pecuniary and personal condition of Dr. W. T. G. Morton, I would state, that my acquaintance with him commenced in 1842, and has continued, by almost daily business intercourse, until the present time. By his own industry and perseverance, while under peculiar and perplexing difficulties, he increased his business largely from year to year, until about the close of the year 1846; when owing to his exertions to introduce and extend the ether as an anæsthetic agent, his regular business was neglected, and of course very much injured. During the whole of this time, I have had considerable knowledge of his pecuniary affairs, and am satisfied that he has been a *loser of several thousand dollars, directly or indirectly in consequence of his labors devoted to this object.* To the same cause (so far as it may be proper for an unprofessional man to express an opinion) I have attributed the present suffering condition of his health. In all my business relations with Dr. Morton, I have never had occasion to doubt the integrity of his intentions.

"Very respectfully, your obedient servant,

"JOSEPH BURNETT."

"30 COURT-STREET, *Jan.* 14, 1848.

"MY DEAR SIR:

"In answer to your further inquiries, I reply that you are right in supposing that my situation, as legal adviser to Dr. Morton, has enabled me to know the state of his pecuniary affairs. He is now very much embarrassed, and has not the means of making even a satisfactory compromise with his creditors in the way of present payment; yet, if his health does not fail him, he hopes to be able to pay all his debts in the course of two or three years—provided, of course, that his creditors will give him time and opportunity. I have recently made an examination of his affairs, in order to furnish a statement to his creditors, and am satisfied that his present indebtedness arises out of the unavoidable neglect of his dental business for some months after the announcement of the ether discovery, and the difficulty of re-establishing it in his present circumstances, added to the direct pecuniary losses he sustained in attempting to introduce the use of ether under his patent right. I have read the letters of Mr. Burnett and Mr. Brooks, and can say that nearly all the facts stated by them are also within my knowledge, and that I agree with them in opinion as to the present

state of Dr. Morton's health, business, and pecuniary affairs, and the causes which have produced it.

"Truly your friend and servant,

"RICH'D H. DANA, JR.*

"To N. I. BOWDITCH, Esq."

In a leading periodical published in March, 1848, R. H. Dana, Esq., at the request, and from evidence furnished by Dr. Morton, wrote an article setting forth his claim. An arrangement was made by Mr. Dana with the publishers in behalf of Dr. Morton, that 10,000 copies should be furnished at the rate of four cents for each copy. This was a verbal understanding alone, no written agreement being made. In May of the same year, the editors published in one of the numbers "A Defence of Dr. Charles T. Jackson's Claims," accompanying it in the same number by an editorial statement derogatory to Dr. Morton's character, and implying that they had been inveigled into their previous publication, and had entirely changed their minds on the inspection of proofs since furnished.† At the same time a bill was presented by them to Dr. Morton for the expenses of his pamphlet, in which the charge was made, not of four cents per number, as agreed upon, but of twelve cents, or a total of $1200.

A decided denial of the justice of this charge and refusal of payment was of course made. A great degree of surprise was expressed by both Mr. Dana and Dr. Morton that this change in the amount should have been substituted; but the explanation was obvious when legal proceedings were commenced by the attorneys of Dr. Jackson, the very writers of the pamphlet, to recover on this demand. By the advice of Mr. Dana, on June 8th, a tender in gold was made the publishers in liquidation of the claim; or if preferable to them, it was proposed by Dr. Morton that the subject in dispute be made a matter of reference. This

* "It is well known that Dr. Morton, instead of profiting by his discovery, has suffered in mind, body, and estate, in consequence of the time and toil he has consecrated to it.

"O. W. HOLMES."

† "It is a matter of regret to us that we were *cheated* into the admission of an article in favor of this *pretender*. At that time we knew nothing of the *true* character of the —— alluded to."

last proposal was accepted by the editors, on the condition that the Rev. E. N. Kirk, their minister, should be the sole referee. Dr. Morton agreed to this reference if they would associate his pastor, Rev. W. M. Rogers. This the editors refused, and continued the suit. During two years the case was kept off, without any trial. At the expiration of that time the case was taken from the docket of the court and referred to Mr. Wm. Dehon, who adjudged the same amount to be due so long before tendered by Dr. Morton.

The alternate states of excitement and subsequent prostration in which Dr. Morton lived; the corroding care and constant anxiety which his endeavors to establish his discovery on a firm basis necessitated or were occasioned by the malevolence of his enemies; the overwhelming amount of labor required, together with the prolonged action of the vapor of ether, in which for several years he was literally steeped—soon began to show their effects upon his health.

As early as 1848, Dr. Homans, his family physician, stated in a letter to the trustees of the hospital, that, "from living so much of late in an atmosphere of ether, from the anxiety attending the various trials and experiments connected with the discovery, and from the excitement caused by the controversies which it has occasioned, the health of Dr. Morton has become such, that he is unable to attend to his professional duties to any extent."

The disease first manifested itself in a severe prostration of the nervous system, with lancinating pains in the prostate gland, shooting during a severe attack to other parts of the body. The skill and attention of Drs. John C. Warren, Homans, and Dale, although producing a temporary relief of special and urgent symptoms, seemed to produce little effect upon the general progress of the malady. Attended with intermissions of perfect relief, the attacks seemed to increase in violence, until, in the fall of 1852, one occurred of such severity that his life was despaired of. By the free use by Drs. Hayward and Kneeland of narcotics, his extreme agony was after a time relieved.

"I have become," wrote Dr. Morton to a medical friend, "a perfect sensitive plant. I am chilled by the slightest changes of

weather; a little extra fatigue brings on a spasmodic action, from which I can obtain relief only by warm drinks and external applications. My nervous system seems so completely shattered, that a trifling surprise or sudden noise sends a shock all over me. I am so restless that I cannot lie or sit long in any position, by day or night. Then convulsive pains seize me suddenly, without any premonitory warning or apparent cause, and my limbs are instantly drawn up by the intensity of the cramps, which rack me so that I cannot prevent screaming until I fall exhausted. I can compare my sensations at such times only to the *appearance* of the curling up of a piece of leather subjected to a high heat. My eyes feel heavy and painful, and neuralgic pains, like the pricking of needles, dart from them to all parts of my head; similar shocks or pains often rise from the lower portions of the back. These are most severe in the morning, and I never feel comfortable until I have been up two or three hours in the sun. After the subsidence of one of these attacks, my limbs tremble, and I feel dizzy, weak, and despondingly sick. The disorder has not diminished for the last four years, but seems rather to increase in the frequency and severity of the attacks."

The above is a very fair description of a broken constitution and a shattered nervous system—how irremediably complete, rest from work, and constant care, and the progress of time, only can show. The best medical attendance of Boston and Washington has been given, but the concurrence of their opinions does not give a very favorable ground for hope in the end, or any expectations of immediate relief.

Such is now the physical condition of that man whose sole wish it has been to relieve the agony and suffering of others. If every groan or sigh of pain which his discovery has been the means of relieving could be changed to a prayer for his well-being, what an enviable position would his now be! Or if in this world each was worth but the tenth part of a mill, Crœsus himself would not have been richer.

CHAPTER XVII.

SECOND APPLICATION TO CONGRESS.

"This discovery certainly merits a notice from the American Legislature, since it may take rank perhaps of all the great improvements which adorn the present age of surgery. Should the Congress of the United States follow the generous policy of the British Parliament in similar cases, they would naturally institute an investigation into the facts connected with this discovery, and bestow a proper reward on whomsoever was found to merit it."—*Dr. J. C. Warren.*

Dr. Morton now appears on a new stage of action, where a national recognition of his labors, by reports of Congressional committees, and the votes of each House of Congress in his favor, shows that he has done well in waiting for public opinion, and a sense of right to work their proper and just effects.

Finding, from the unsatisfactory result of his first application that a more strenuous effort must be made, and knowing that to effect this he should be upon the spot to superintend in person the prosecution, he had often, during the summer, pondered over the best course for him to pursue. The advice generally given him by his friends was that he should relinquish everything, his home, and many other ties which bound him in Boston, and at the commencement of the next session, repair to Washington, and then adopt the counsel of one of his advisers, who wrote, "I should, if I were in your place, prosecute my claim if I died in the gutter."

But however willing he might have been to go, the means at that time were most unluckily wanting. Much money would be required for his mere personal expenses, in addition to the amounts needed for the advancement of his interests.

The embarrassments caused by the expenditures he had considered it necessary to incur in the demonstration and proclamation of his discovery, and the expense of controversies, the details of which are given in another chapter, had so completely

drained his exchequer that it required all his exertions to meet the daily expenses at home.

But at this juncture, true friends came to the rescue, and at the slightest hint of his need, freely furnished the required amount. Letters like the following were received from Amos Lawrence, Dr. Robbins, Mr. John J. May, Thomas B. Curtis, Hon. J. Wiley Edmonds, Ozias Goodwin, George W. Lyman, Joseph Burnett, Dr. Perry, and others:

"DEAR SIR: I am induced to contribute towards enabling you to prosecute your claim; accordingly enclose you herewith a draft. With my best wishes for your success, I remain

"Your obedient servant,

"J. P. CUSHING."

Dr. Morton arrived at Washington in January, 1849, and was warmly welcomed by his friends, and many others, to whom he was highly recommended, and to whom he was already well known by reputation. His acquaintance was also sought by the medical officers of the army and the navy, who had used the agent which he had discovered in the public service, and could bear testimony to the incalculable benefits resulting from it, in saving the lives, and in allaying the sufferings of the gallant soldiers and sailors who defended our country's flag.

Before leaving Boston, he had been furnished with the most complimentary letters from Geo. M. Briggs, the Governor of Massachusetts; John P. Bigelow, Mayor of Boston; Hon. Charles Sumner, Hon. Rufus Choate, Ex-Governor Morton, and many distinguished members of the medical profession, which letters are herewith given. It will be seen that they recommend his claim, and certify to its justice:

"BOSTON, *January* 11, 1849.

"HON. JOHN DAVIS:

"MY DEAR SIR: I beg leave to introduce to you my friend Dr. Morton, of this city, by whose laborious efforts the anæsthetic properties of sulphuric ether were discovered, and its beneficial influence in diminishing human suffering in various maladies.

He visits Washington in the hope of obtaining some recognition on the part of Congress of the value of his discovery. I hope he will succeed, for he has nearly exhausted his pecuniary resources, as well as his health, in the great work.

"Respectfully your friend,

"JOHN HOMANS."

"BOSTON, *January* 10, 1849.

"HON. HORACE MANN:

"DEAR SIR: I venture to introduce to you Dr. Morton, whose name is familiar to you from his connection with the discovery of the application of ether to the relief of man's estate.

"He goes to Washington, hoping to obtain from the government some remuneration for a discovery so brilliant and successful, yet not probably within the scope of the American patent laws. I doubt not you are familiar with the proofs of his name in this matter, and if not he will place them with great force before you.

"I am, very respectfully,

"Your obedient servant,

"R. CHOATE."

"BOSTON, *January* 11, 1849.

"MY DEAR SIR: Dr. Morton visits Washington in the hopes of promoting a petition for remuneration from Congress, on account of his agency in the discovery of the ether. I wish to express to you my interest in his petition, and my sense of his merits. Of course I do not enter into the controversy connected with the discovery. But I do think Dr. Morton deserves well of Congress.

"Ever faithfully yours,

"CHARLES SUMNER.

"Hon. J. G. PALFREY."

"BOSTON, *Jan.* 12, 1849.

"DEAR SIR: I am happy to have the opportunity of presenting to your acquaintance Dr. W. T. G. Morton, of this city.

Dr. M., who, by reputation, is doubtless known to you, has the distinction to have his name identified with one of the most important discoveries of modern times—the application of ether as an agent for producing insensibility to pain in surgical operations. His object, as I understand, in visiting Washington at this time, is to endeavor to procure from Congress, some recognition of the value of his discovery. I beg leave to commend him to your kind attention.

"I am, very respectfully,

"Your friend and servant,

"MARCUS MORTON.

"TO THOMAS H. BENTON."

"BOSTON, *Jan.* 11, 1849.

"TO THE HON. CHARLES HUDSON:

"DEAR SIR: Dr. W. T. G. Morton, of this city, is about to present to Congress a petition for some remuneration for his services in the discovery of the power of ether to destroy pain during surgical operations. A year ago the Board of Trustees of the Massachusetts General Hospital, where the first experiments were tried, made an elaborate report, recognizing his claims. Dr. C. T. Jackson (to whom he had applied as a learned chemist, at the suggestion of Mr. Wightman, a well-known philosophical instrument maker) gave him valuable information as to the properties of ether, and advised him to use it. Upon the strength of this circumstance, Dr. Jackson now claims the whole discovery as his, alleging that he knew all about the properties of ether as far back as 1842. The Hospital Trustees examined their relative claims with great thoroughness and fairness, and though much has been published, the entire Board (consisting of twelve as impartial judges as could be selected) still continues of the same opinion as when their Report was published, a year since.

"Indeed, if Dr. Jackson knew what he says he did in 1842, he is chargeable with allowing some half a dozen years of human suffering, which he might have relieved, by speaking a single word, or making a suggestion to a single surgeon. The patent is

by common consent abandoned. The greatness of the discovery ought, certainly, to entitle its author to some splendid remuneration. This claim therefore, before Congress, has my best wishes, and I trust that you will do anything in your power to promote the success of the application.

"I am, with great respect and regard,

"Your obedient servant,

"E. H. ROBBINS."

"NAVY DEPARTMENT,
"*Bureau of Medicines and Surgery,*
"*January*, 18, 1849.

"MY DEAR DOCTOR: Allow me to introduce to you Dr. Morton, of Boston, the acknowledged anthor of the anæsthetic discovery. Should you be able to aid him in any of the objects contemplated in his visit to our city, you will confer an obligation upon your friend and

"Obedient servant,

"THOMAS HARRIS."

"BOSTON, *Jan. 30th*, 1848.

"MY DEAR SIR: I understand that Dr. Wm. T. G. Morton is about applying to Congress for some grant as a recompense for his services in introducing the use of ether as a means of avoiding and relieving pain. This discovery, it is conceded, is one of the most beneficial in its results that science has bestowed upon our race. The gratitude of all mankind belongs to those who have given it to the world, for all countries have received it, and all ages will accept it as one of the most signal triumphs of art over one of our most deadly and constant enemies—bodily pain—against which, in some form or other, it is half the business of life to struggle.

"If the discoverer has received no direct profit or indirect advantage from his labors for his fellow-creatures everybody remains his debtor. If he has suffered in health and estate, the debt becomes one of honor, which it is a shame to the com-

munity to leave unpaid. He has a right to look to his country for it; its government is in the habit of voting swords and medals to its heroes, and can, if it will, reward its other benefactors.

"The generally-received opinion here is, that to Dr. Morton belongs, if not the whole, the greater part of the credit attached to this discovery. There are some differences of opinion, it is true, as almost always happens with regard to the origination of new and important ideas, but after hearing and reading a great deal upon the subject, I can assert that I only found here and there a dissentient from the common opinion to which I have referred. It is a notorious and wholly undisputed fact that Dr. Morton in person instituted the first decisive experiments at the risk of his reputation, and with a courage and perseverance, without which, even had the idea of the possibility of such effects been entertained, the world might have waited centuries or indefinitely before the result was reached.

"It is well known that Dr. Morton, instead of profiting by his discovery, has suffered in mind, body, and estate, in consequence of the time and toil he has consecrated to the work.

"I have no particular relations with Dr. Morton, and no interest in common with him, to bias me in my opinion and feelings. But recommending what other countries have done for their public benefactors, and unwilling to believe that a rich and prosperous republic cannot afford, and will not incline to indulge, its gratitude whenever a proper occasion presents itself, I have addressed you this line to tell you that I think now is the time, and this is the man.

"I am, yours very truly,

"O. W. HOLMES."

"BOSTON, *Feb.* 2, 1849.

"DEAR SIR: Your note was received to-day, and I regret that you had the trouble of writing. I should have written, but have not been well.

"Dr. Morton claims to have made what may be termed the scientific discovery. In other words, he claims to have been

possessed of the properties of ether without suggestions from any person, and without any sources of information that were not within reach of all. This may be true. I have not examined the evidence on this point, for I consider it an unimportant matter.

"But the great discovery, that for which the whole world is indebted, was that the inhalation of ether could be employed with safety—I repeat it, with safety—to annihilate pain. This, the only fact of real practical value, he proved, first by self-experiment, and he was the only man who ever had proved it.

"I am glad to find you interested in this matter. It appears to me incumbent on our national legislature to chronicle this event in our country in an appropriate manner. Let us substantiate the fact that this discovery was made in this country. Let us not decree a tablet on his tombstone, or ask of posterity to pay our debts with a monument, but here in our day make a living, life-giving remuneration that shall do honor to him and to ourselves.

"Very truly yours,

"C. G. PUTNAM."

"BOSTON, *January* 7, 1849.

"MY DEAR SIR: Mr. W. T. G. Morton, dentist of this city, is about to memorialize Congress that they may grant him a reward for the discovery of the anæsthetic properties of ether; and has engaged Mr. Fletcher Webster to visit Washington on his behalf for that purpose, as I am informed. Both the above-named gentlemen request me to write to you on the subject. I told them I had no doubt if Congress should entertain the petition, that you would appoint an intelligent and impartial committee.

The obstacles they have to apprehend are the reluctance of Congress to grant money, and the opposition of the rival claimant for the discovery, Dr. Charles T. Jackson. The general opinion here is that Morton is the man to whom the world is mainly indebted for the discovery, and this opinion is well ex-

pressed in the printed report of the Massachusetts Hospital trustees.

"Very truly and faithfully yours,

"JACOB BIGELOW.

"R. C. WINTHROP, Esq."

"BOSTON, *Jan.* 10, 1849.

"DEAR SIR: Mr. Morton, who visits Washington to seek remuneration from government for the benefit which he has conferred upon the country by the introduction of sulphuric ether, requests me to express to you my opinion (which I do most unreservedly) that the world is indebted entirely to Mr. Morton for the introduction of this agent to produce insensibility to pain, and that it is a physical blessing not second to any one that has been conferred upon suffering humanity.

"I sincerely hope that Mr. Morton will receive some remuneration for his very great benefaction.

"With high respect, your obedient servant,

"JOHN JEFFRIES.

"Hon. R. C. WINTHROP,

"*Speaker of the House of Representatives.*"

"BOSTON, *Jan.* 30, 1849.

"DR. EDWARDS:

"SIR: As chairman of the committee on the ether discovery, I take the liberty of informing you that I this day met Dr. James Jackson, who, as you are probably aware, is the decided head of the medical profession in this city, and, indeed, in New England.

I said to him that a line from him to you upon the subject in question would have great weight. He replied as follows: 'I have never been present at any of the early experiments, and know nothing upon the subject which is not derived from the printed testimony in the case, and other sources of information open to all; and I have long made it a rule never to sign any recommendations or certificates in behalf of any one; but if the expression

of my opinion will have any weight, as you suppose, you may state fully and unequivocally that in my opinion Dr. Morton is entitled to a grant from Congress for the ether discovery, *more than any and all other persons in the world*, and that it owes this discovery *par excellence* to Dr. Morton.'

"Being myself much delighted at such an explicit confirmation in so high a quarter, of the views which I have long entertained myself, I beg leave, through you, to communicate this opinion to the committee of Congress, as I deem it of far more importance in Dr. Morton's behalf than any testimonial or recognition of his claims which he has yet received.

"I remain yours,

Very respectfully.

"N. I. BOWDITCH."

BOSTON, *January* 15, 1849.

"MY DEAR SIR: I write you at the desire of Dr. Morton, the discoverer of the wonderful properties of ether, who is anxious for an act of Congress to confirm his claim to the discovery, and for some more substantial proof of the generosity of the Republic. In the latter appeal, I have no great sympathy except inasmuch as it is necessary to accomplish the former.

That he is entitled to the credit of having made this discovery, I have no doubt, the expression of opinion from the trustees of the Massachusetts General Hospital and other citizens of Boston, accompanied with a thousand dollars in a silver box, is enough to establish his claim in this vicinity, but an act of Congress in his favor, if only with the addition of a nominal reward, would substantiate his claim throughout our own and other lands.

I do feel that the importance of his discovery of which I every day see striking proofs, merits some public testimonial, such as an act of Congress in Dr. Morton's favor. He tells me that Mr. Webster and other gentlemen from Massachusetts have warmly espoused his cause, and as it is his desire, as it is also my wish,

to aid him in his cause, I have taken the liberty to call your attention to his application.

"I remain with respect,

"Your obedient servant,

"ROBERT W. HOOPER.

"Hon. S. GRINNELL, *Washington.*"

"BOSTON, *January 26th*, 1848.

"DEAR SIR: Learning that Dr. Morton is in Washington, and being much interested in the ether question, I take the liberty to write to you.

"I believe most fully that Dr. Morton deserves any reward Congress may grant to the discoverer, because, although many people had *thought* that a man could be intoxicated beyond the reach of pain, Morton alone *proved* this *previous possibility* to be a *certainty* and *safe*.

"A diagram will make the matter plainer than words.

Before Oct., 1846.	*Discoveries in Oct.*, 1846.	*After Oct.*, 1846.
Who made the suggestion? Here is the only ground of dispute.	Consecutive experiments by Morton.	*Morton alone* took the responsibility of danger, and proved that ether was, 1. *Certain*; 2. *Safe*.

"The two last points, viz.: the consecutive experiments, and their confirmation, which *nobody disputes to Morton*, make him in my eyes the discoverer.

"The only doubt is, who made the *suggestion? To me this is of no importance.*

"Dr Jackson says, 'I did. I told Morton to try the experiment; and unless I had so told him, he would never have tried it.'

"Dr. Jackson adds: 'I first tried ether when I was suffering from chlorine, in 1842. I afterward recommended it to Mr. Peabody.'

"But Mr. Morton confutes even these positions. He says to Dr. Jackson:

"'1. I show, by the evidence of Dr. Gould, Mr. Wightman, and Mr. Metcalfe, that I was experimenting with ether before the interview in which you claim to have brought it to my notice.

"'2. In 1842 you only rediscovered what was before clearly in print in Pereira's Materia Medica.

"'3. You claim to have told Mr. Peabody what you *knew* of ether. Now, you could not *know* it! You have stated all your grounds of deduction, and the widest inference you could draw from them is a *suspicion* of the properties of ether; and a *suspicion in science*, an *unconfirmed theory*, amounts to nothing.

"'Finally, what you claim to have discovered in 1842, you kept to yourself during four years. Do you expect the world to believe you knew its value? Do you expect it to reward you for letting people suffer during that length of time?'

"Besides, the suggestion of anæsthetic agencies occurred to Davy; especially was it followed out, though unsuccessfully, by Horace Wells, who, disgusted with failure, abandoned his attempts. These, and others, had hypotheses, as well as Dr. Jackson.

"Morton alone proved the hypothesis. Without Morton, there is no evidence that the world would have known ether till the present day.

"I believe this was the ground of important argument and difference in the pamphlets. I beg you to allow for any inelegancies resulting from my attempt at brevity, and believe me,

"Very truly and respectfully,

"Your obedient friend and servant,

"HENRY J. BIGELOW.

"Mr. WINTHROP."

"BOSTON, *Jan.* —, 1849

"DEAR SIR: Dr. Morton, of this city, intends to present to Congress a petition for a grant as the discoverer of ether. The trustees

of the hospital, after a very long and careful investigation, were unanimously satisfied that, while he received most valuable information from Dr. Jackson, the discovery was nevertheless due to his own fearless and earnest performance of the needful experiments, at a time when the most scientific men (Dr. Jacob Bigelow, Dr. Jas. Jackson) assure me that they should have considered those experiments as involving imminent risk of life. Dr. C. T. Jackson has thwarted all efforts of Dr. M. to obtain remuneration. He has very recently sent to the trustees a memorial praying us to revise our erroneous judgment against him. I am able to state, however, that the whole board still retain the same views which were employed in the Hospital Report of last year.

"If you can do anything to promote the success of his application, I think it will be aiding the cause of right and justice. If you should desire any particular information as to the merits of the case, or access to the various published documents, Dr. Morton will be in Washington, and his counsel, Mr. Fletcher Webster, or himself, will be happy to give you such documents and statements as you may wish.

"I remain yours,

Very respectfully,

"N. I. BOWDITCH."

"BOSTON, *Jan'y* 11, 1849.

"HON. ROBERT C. WINTHROP:

"DEAR SIR: Dr. Wm. T. G. Morton, the bearer of this letter informs me that his object in visiting Washington, is for the purpose of making an application to Congress for a reasonable sum of money in consideration of his great and valuable discovery of the effect of sulphuric ether upon the human system during surgical operations. No doubt, my dear sir, you fully understand the importance of this great discovery to the whole world; therefore I need not take up your valuable time upon that part of the subject. Who made the discovery is, I think, fully and clearly established by the complete examination and

report of the Board of Trustees of the Massachusetts General Hospital, of January 6th, 1848.

"After Dr. Morton had satisfied himself of the effect of ether upon the human system by many experiments, the last of which, before making it public, was on the 30th of September, he came to my son's office for the purpose of securing a patent, if one could be obtained; soon after he requested Drs. Warren and Hayward to try the effect in capital operations, which was done on or about the 17th of October, and were fully satisfactory to those gentlemen. On the 23d of October, a gentleman now claiming the discovery, and endeavoring to take the credit to himself, spent an evening with me at my house, and during the time I conversed with him fully upon the subject; he declared to me it was all a perfect humbug, and that Morton was a reckless fellow, and would yet kill some one with his experiments. I could not agree with him after hearing of the trials by Drs. Warren and Hayward. I do fully believe that Dr. Morton was the original discoverer, and ought to have the entire credit of it—and further, as a public benefactor, ought to be rewarded by the government for his persevering exertions to the present time; to my knowledge he has spent large sums of money, and I think deserves some consideration in return. May I be permitted to solicit your interest in his behalf.

"Yours, with the highest consideration,

"CALEB EDDY."

"BOSTON, *Jan.* 30, 1849.

"SIR: I take the liberty of sending to you copies of the Hospital Report, and of a subsequent vindication prepared by me, and showing the relative claims of Dr. Morton and Dr. Jackson, in the ether discovery. The vindication was in reply to a publication of Dr. Jackson's attorney, of June last, and disposes of all the essential allegations which it contains, impeaching the Hospital Report. Quite recently Dr. J. has published a memorial, addressed to the hospital trustees, which, in many particulars, is a new edition of his June publication. It contains some new allegations, and in these new statements is much un-

true in itself, and leading to very false and injurious inferences as respects Dr. Morton. The committee may be assured that Dr. Gould was well aware of Dr. Morton's alleged early experiments; that Dr. M. strenuously urged him to insert an account of them in the statement of his case, which Dr. G. drew up, and that Dr. G. had much difficulty in persuading Morton to consent to their omission, on the ground that these prior experiments *were not important to the case.* And that it was desirable to omit everything which Dr. J. would object to, and make the case as simple as possible. The alleged authority of Mr. Metcalfe to make *any* statement from him, is entirely false. On the contrary, Dr. Jackson's attorneys promised him never to publish *anything* without his previous consent. What they have published is what, in many points, he does not, and never did, sanction; and his letter to the trustees (of which he has this day consented to give Dr. Morton a copy) distinctly charges Dr. Jackson's attorneys with falsehood. I say thus much in regard to the two matters of Gould's and Metcalfe's statements, because Dr. J.'s recent memorial, if it stood uncontradicted, might well lead the committee of Congress to doubt the accuracy of the positions taken by the Hospital. These letters of Dr. G. and Mr. Metcalfe were read at the two successive meetings of the hospital. All the twelve members were not, indeed, present at those meetings, but, with two or three exceptions, every member knows their purport. And there is not the slightest doubt entertained by any one of the Board, that the Hospital Report awards to Dr. J. the share of credit to which he is really entitled; and that his exclusive pretensions are absurd in the highest degree. One of our number told me a few days since, that he thought I had made a fundamental mistake in *naming* Dr. Jackson in the Hospital Report at all, as it was his sincere conviction that he had *nothing* to do with the discovery, except that by a fortunate accident he was called on, rather than some other experienced chemist, to give certain information to Morton.

"I have been for more than twenty years connected with the hospital. The twelve trustees are as impartial, disinterested men as could be called upon to act in such a case. Holding

a high and responsible trust, they acted under a full sence of that responsibility when they took the ground which they did in this controversy. As honest men, they would, one and all, recede from that ground, and make, cheerfully, any amends to Dr. Jackson, if they felt that they had been mistaken. Their final vote, therefore, that any action on their part is unnecessary, is to be taken (and was by them designed to be taken) as evidence that, notwithstanding all that Dr. J. has said and done (including his latest publications) they have seen no reason to believe themselves mistaken in the essential conclusions set forth in the Hospital Report.

"I remain, very respectfully,

"Your obedient servant,

"N. I. BOWDITCH.

"DR. EDWARDS."

"COUNCIL CHAMBER,

"BOSTON, 12*th Jan'y*, 1849.

"DEAR CORWIN: Allow me to introduce to your acquaintance, Dr. Morton, of this city, whose name the world knows as the discoverer of the application of ether, to alleviate pain.

"An application to Congress, for some compensation for the discovery, is to be made. May I ask you, for the doctor, who thus far, though he has relieved thousands of others from suffering, has had nothing but suffering himself as his reward, to look at his case and if you find it has merits, give it your support.

"Sincerely and truly yours,

"GEO. N. BRIGGS.

"HON. THOS. CORWIN."

"SALEM, *Jan.* 17*th*, 1849.

"DEAR SIR: I have just learned, that Dr. Morton, of Boston, has gone to Washington, to obtain from Congress some pecuniary acknowledgment of the value of his discovery, of the applicability of ether, as a means of destroying pain in surgical operations and diseases. I am but partially acquainted with Dr. M. It is more than a year since I have had any communication with him, and it is from a sincere desire that justice should

be rendered to a public benefactor, that I address you in his behalf.

"It is now more than fourteen months, since I have applied ether to procure a state of insensibility, in which I could perform surgical operations without inflicting pain. In all my trials this marvelous agent has perfectly succeeded, and without being followed by any permanent bad consequence. Indeed, the passing off of etherization has been like awaking from a pleasant dream. Under the insensibility produced by ether, I have performed amputations, trepanning, extirpations of the female breast, removal of large tumors; operations for strangulated hernia; instrumental deliveries; reductions of fractures and dislocations; with perfect satisfaction, and most delightful relief from all suffering. I have also administered it in a great variety of diseases, and I know of no form of human suffering, in which it does not hold out a certain prospect of at least temporary relief. I have produced etherization in subjects, passed the meridian of life, and in infants of less than two months. None but a surgeon who has witnessed the agonizing tortures of those who have to undergo the pain produced by the knife, or the actual cautery, can appreciate the value of this noble discovery. Recovery is greatly promoted by lessening the shock which acute pain always inflicts upon the vital powers. Every man who suffers a broken limb, a lacerated joint, or a surgeon's knife, can avail himself of this sure method of escaping pain, and owes a debt of gratitude to him who first successfully experimented with this agent. I hope he will be provided for, during life, at the public expense. If Beaumont deserved a gratuity from Congress for observations and experiments on digestion, remotely benefiting suffering humanity, by enlarging physiological knowledge, surely it is no more than justice, that the man who has directly extinguished mortal agony, should receive the reward of successful labors.

"The inhalation of ether to produce unconsciousness, is no discovery of the present age. But demonstrating the *practical* use of it to *annihilate pain*, is the true discovery for which we are indebted to Dr. Morton. Fulton was not the first to discover the motive power of steam as applied to navigation. Jenner was

not the first to discover the prophylactic efficacy of cow-pox. But these men put mankind in the way of using these agents for beneficial purposes. They were the discoverers of what the world wanted to know. In like manner I trace to Dr. Morton, the practical information which has given my patients the benefits of this knowledge of the properties of ether. I am sorry to learn that Dr. Morton has derived no personal advantage from his discovery, but rather has suffered loss. Much of this has arisen from his absurdly patenting his discovery and from his unfortunate controversy with that distinguished savan, Dr. Charles T. Jackson, who was instrumental in leading his mind to the trials which revealed the safety and utility of etherization. It is not necessary for me to give an opinion on this controversy. It is in print, and you are, at least, as competent as I could be, to weigh the arguments on which each rests his claim to the discovery.

"I sincerely hope you will aid Dr. Morton in obtaining a reward for his discovery. I am sure you will if you believe, as I do, that it is to him the world owes the introduction of this pain-destroying agent.

"I will offer yon no apology for striving to interest you in this matter, trusting you will look upon it as a proof of my sincere respect for your personal character, and legislative fidelity.

"I am very truly yours,

"A. L. PEIRSON.

"Hon. DANIEL P. KING."

"U. S. HOUSE OF REPRESENTATIVES,

"*January 30th*, 1849.

"DEAR SIR: I have the honor to place in your hands, letters addressed to me by Mr. N. I. Bowditch, and Dr. Jeffries, of Boston. The latter is a distinguished member of the medical profession, and both are gentlemen enjoying the highest confidence and respect of their fellow-citizens.

"I have also a letter from which the following is an extract, from Dr. Henry I. Bowditch, also a gentleman of high standing in

the profession; one of the physicians, if I mistake not, of the Massachusetts General Hospital.

"'Dr. Morton, to whom I sincerely believe the world owes the invaluable gift of the knowledge of the anæsthetic properties of ether, intends to apply to Congress for a remuneration for losses, and a recompense for his invaluable discovery. Permit me to urge upon you (which as a physician, I feel I have a right to do) the propriety of the nation standing forth, and generously rewarding the discoverer of this noble gift to mankind. I have used it in midwifery, and I can truly say, that I know of no one discovery in medicine which can compare with this discovery, save perhaps vaccination by Jenner. The practice of midwifery has become a new thing, since I have begun the use of chloroform or ether. By it I lull pain, and yet consciousness remains. It seems mysterious in its wonderful influence. *Some one* should be rewarded. I believe that Dr. Morton is the real discoverer; you may, however, receive pamphlets, urging Dr. Jackson's claims. Among them will probably be one from Dr. J,'s attorneys, asking the trustees of the hospital to reverse their decision,' &c., &c.

"I am, dear Sir, with great respect,

"Your obedient servant,

"JOHN G. PALFREY.

"HON. T. O. EDWARDS,

"*Chairman, &c., &c., &c.*"

"BOSTON, *January* 17, 1849.

"At a quarterly meeting of the Trustees of the Massachusetts General Hospital, held this day, the following preamble and vote were unimously adopted:

"'A printed memorial, by the attorneys of Dr. C. T. Jackson, was, several days since, transmitted to each trustee of this institution, asking a revision of the views expressed, in the last annual report, respecting the ether discovery, and a letter from Dr. Jackson, with various accompanying documents, was, at the last meeting, laid before the Board; and letters upon the same sub-

ject from Theodore Metcalfe, Esq., and Dr. A. A. Gould, having also been received, it was

"'*Voted*, That any further action of the Board in relation to the ether controversy is wholly unnecessary.

"'*Voted, also*, That copies of the above vote be transmitted to Dr. Jackson and to Dr. Morton respectively.'

"A true extract from the records.

"N. I. BOWDITCH,
"*Secretary pro tem.*"

"BOSTON, *January* 11*th*, 1849.

"MY DEAR SIR: I understand that Dr. Morton, of this city, intends to apply to Congress for a reward of his services, as the discoverer of the anæsthetic power of ether. I regard the discovery as the greatest, excepting perhaps that of vaccination, that has ever been made in our profession. On this account, and on that of his agency in it, I sincerely hope he may succeed.

"His claims as the discoverer, are fully and fairly set forth in the report of the Trustees of the Massachusetts General Hospital for the last year. As I can add nothing to what is there stated, I beg leave to refer you to it.

"With much respect, I remain,
"Your friend, and humble servant,
"GEO. HAYWARD."

"Hon. R. C. WINTHROP."

The Hon. Daniel Webster, who was then in the United States Senate, had ever taken a great interest in the personal success of Dr. Morton, and was again of great service to him, as was his senatorial colleague, the Hon. John Davis. The Hon. Daniel P. King* (another distinguished son of Massachusetts, who has since departed this life full of honors) was earnest in his assistance; while the Hon. J. G. Palfrey, D. D., the Hon. Geo. Ashmun, and others from the Old Bay State, seemed to take a pride in the discovery and the discoverer. Nor was this dispo-

* Dr. Warren requested the Hon. D. P. King, when on his way to Washington, to make every effort in Dr. Morton's behalf.

sition to reward just merit confined to those from the State in which the discovery was made, for gentlemen from all quarters of the Union, appeared equally interested, asserting that their constituents had been equally benefited. Foremost among those who volunteered their aid was the Hon. John Wentworth, of Illinois (like Dr. Morton, a progressive amateur farmer), who, on the 19th of January, presented the memorial to Congress, in the House of Representatives.

This memorial was a brief, well-written statement by Dr. Morton of the leading facts in the case. It represented that while in the prosperous practice of the dental profession, "he saw frequent instances of physical suffering; and was (as many others had been) induced to consider whether there might not be some means of alleviating such sufferings, and rendering operations less painful to those obliged to submit to them." That, in pursuance of this object, he had experimented upon himself, afterward upon others, until success had crowned his efforts.

To this modest statement of his discovery, Dr. Morton added a brief narrative of the outlays and losses to which it had subjected him, besides impairing his health by mental anxiety and over-exertion, and concluded by appealing to Congress in these expressive, convincing, yet dignified words: "Considering the nature of the discovery, the benefit which it confers, and must continue to confer so long as nature lasts, upon humanity; the price at which your petitioner effected it, in the serious injury to his business; the detriment to his health; the entire absence of any remuneration from the privileges under his patent; and that it is of direct benefit to the government, by its use in the army and navy—you should grant him such relief as might seem to you sufficient to restore him at least to that position in which he was before he made known to the world a discovery which enables man to undergo, without the sense of pain, the severest physical trials to which human nature is subject."

Dr. Morton's memorial, on the day after its presentation, was referred under the rules to a select committee, which had been raised expressly for the consideration of medical questions, and was entirely composed of physicians, viz.: Drs. T. O. Edwards

and Fries, of Ohio; W. A. Newell, of New-Jersey; Lord, and Jones. They considered the subject—it was unanimously admitted—with more care and attention than had ever before been bestowed by a Congressional committee on a private memorial. Their sessions were numerous and protracted, often extending late into the night, and a large mass or oral and written testimony was carefully analyzed. As was the case when Dr. Jenner's claim was before a committee of the English Parliament, "efforts of a very extraordinary kind were made to impugn the claim," and several individuals officiously endeavored, by presenting what the committee styled "irrelevant affidavits," to detract from Dr. Morton's merits.

As soon as Dr. Morton's memorial was before the committee, the chairman addressed a letter to the opponents of Dr. Morton, requesting them to put in before the committee any documents against his claim and in support of their own. The chairman immediately received a letter from Dr. Jackson in which he expressed his great satisfaction, that the cause was to be tried by a tribunal so competent to appreciate his claim; that he should soon send him the documents and a remonstrance from the physicians and surgeons of Boston. Dr. Jackson's attorney soon appeared. He brought with him a remonstrance, but of a character totally unlike what had been promised. It is true, having drafted such an instrument, he applied to Dr. Warren, the senior surgeon of the Massachusetts General Hospital to head it, who declined, and subsequently headed a petition in favor of Dr. Morton. Dr. Jackson's remonstrance was subscribed by no surgeons of the hospital, and by no prominent members of the medical profession. It was headed by no disinterested philanthropists wishing that justice should be done and the true discoverer rewarded, but by his own feed attorney—who had only the previous year demanded of Dr. Morton twenty-five per cent. on the patent in behalf of his client, in consideration of his surreptitious claim—followed by the names of a few of his personal friends and rival dentists. At this period an event occurred which was a providence so remarkable that it is proper to relate it. Before Dr. Morton left Boston, his opponents had

filed their objections with the government of the Massachusetts General Hospital against their report of the preceding year, in which they had unanimously accorded him the honor of the discovery; but his opponent was now endeavoring to obtain from them a reconsideration of the case and a counter-report in his favor. Though Dr. Morton felt strong in the justice of his cause, he knew that it was a newly-elected board, and that the scientific attainments and position of his opponent had great weight with many of them, and that Dr. Jackson was there personally to urge his claims, while Dr. Morton was in Washington contending against the influence Dr. Jackson was causing to be brought to bear upon the committee, through letters written at his solicitation from his scientific friends throughout the United States. Judge then of Dr. Morton's satisfaction and delight in the reception of the following telegraphic dispatch from Boston: "The trustees of the Massachusetts General Hospital have confirmed their Report of 1848, in opposition to the memorial of your opponent." Defeated before the trustees of the hospital, Dr. Jackson instantly hurried to Washington, engaged suitable apartments, and commenced calling upon members of the committee having the subject in charge. He was called upon by the chairman and other members of the committee, who were astonished at the contents of letters which he exhibited to them from M. Elie Beaumont of Paris, asserting that the Academy would decide in his (Dr. Jackson's) favor.

A powerful argument in Dr. Morton's favor was the ease and the success with which he personally administered the ether while the subject was before the committee. Some of these experiments were successfully made in presence of distinguished members of Congress, and of medical officers in the army and navy. Surgeon-General Lawson, of the army, and Dr. Harris, chief of the Naval Bureau of Medicine and Surgery, addressed official communications to the committee, stating that ether was used in the army and the navy, and that it constituted a portion of the regular supplies. Both officers were zealous in supporting Dr. Morton's claim, and Dr. Harris spoke of him as "the acknowledged author of the anæsthetic discovery."

Among the trials which were made at Washington, to show the power and value of the ether, was one which attracted a great deal of attention among the medical and scientific men collected there, and afforded no little amusement among all classes when it was reported. The experiment showed the utility of the discovery for both branches of the public service in detecting feigned diseases.

The consummate art often displayed by *malingerers*, as they are called, is such as not unfrequently to baffle the skill of the most experienced officers or medical men. The object to be gained by them is either to procure their discharge from the public service, when by their injury in the cause of the public they became entitled to a pension, or to escape some unpleasant duty; or from being ordered to a station to which there may be objections. The persistency of their attempts, the cunning and contrivance which are often made use of, and the calmness with which they will often endure the severe tortures applied as remedial measures, or to discover if a deception exists, would entitle them in a better cause, to a crown of laurels. It is not enough in these cases, to *suspect* that a disease is feigned, humanity and utility require that the fact of malingering be *proved* before either the kind offices of a physician are refused or punishment is inflicted.

Among the cases that were placed under the charge of Dr. Morton for experiment, was a man named Charles Lanke, who had been a private of artillery, but on account of alleged incapacity from disease, was then off duty. The trouble consisted of an anchylosis, or union between the bones composing the knee-joint, for which he had applied for his discharge from the service, and a pension. Circumstances had induced army medical officers to suspect the disease was feigned, and it was determined to put him to the proof.

In the presence of a large number of members of Congress and medical men, Dr. Morton administered the ether to him. As the somnolent effect of the ether stole gradually over him, and the influence of his will over the muscles diminished, the leg which before had been kept rigidly stiff, began gradually to relax, and

when fully under its influence, it was found that motion existed in it as freely as in its mate. He was then allowed slowly to emerge from the anæsthetic state, but when not fairly out of its influence, and still quite *intoxicated*, two strong assistants seized him by the arms and placed him upon his feet. Finding that he kept the erect position, the assistants were ordered to lead him round the room. With the caution and stolid face of a drunken person, the *ci-devant patient* began slowly to promenade the room. Suddenly the mists which clouded his brain cleared away, and awaking to the full consciousness of his position, he discovered that he had "let the cat out of the bag," and all his hopes of a pension had vanished. Then rage took the place of his previous quiet look of suffering; never before did such a torrent of invective and blasphemy pour from the lips of living man, but especially directed against Dr. Morton, as the author of his exposure. If it had not been for the restraining presence of his superior officers, and the strong arms of the assistants, there is no doubt but he would have done him some grievous harm, to such a state had his fury, combined with the intoxicating effects of the ether, carried him.

When he was somewhat recovered from the effects of the ether, another, but an exceedingly impulsive, warm-hearted man, took the sponge and commenced inhaling. He had breathed it but a few times, when he suddenly threw himself in an attitude, as if he were on the floor of Congress, and began an impromptu speech. With his arms stretched out to the right and left, he spouted away for a few moments, until he became so much excited, and his gestures so violent, as to cause some of the gentlemen to beat a quick retreat from the room to the hall, where they stood protected by the door to witness the curious scene. The others by jumping behind the bed or interposing a chair between themselves and the impassioned orator were making the walls echo with their shouts of laughter.

On another occasion when Dr. Morton had administered ether, there being some left in the sponge, a calm, gentlemanly man, always dignified and graceful in manner, placed it to his mouth and commenced inhaling. "Why, gentlemen!" he called out in

an animated tone, "this is certainly very pleasant," then starting from his seat, and stepping about the room on tiptoe, he continued, "really gentlemen it is delicious," again and again applying the sponge, while his eyes sparkled with delight, "this sensation is exquisite! it is delightful!"

His manner was so full of excitement, and at the same time so exactly in accordance with his general character, that all present were convulsed with laughter. But to return.

Meanwhile, the close of the session approached, and with it the close of Mr. Polk's administration, which was to be followed by that of Gen. Taylor, involving a sweeping change in every important office. Much business before Congress remained unfinished; and there was no chance of bringing up any question on which the invariable discussion attending every appropriation of money must ensue. The committee therefore deemed it advisable not to recommend any pecuniary remuneration—but they submitted a most decisive report.

This document, (Report No. 114) is a careful review of Dr. Morton's claim to the practical discovery of the anæsthetic properties of ether. "Your committee are satisfied," it says, "that Dr. Morton is entitled to the merit of the discovery. *The great thought was of producing insensibility to pain; and the discovery consisted in that thought, and in verifying it practically by experiment.* For this the world is indebted to Dr. Morton; and even if the same thought, in all its distinctness and extent, arose also in the mind of Dr. Jackson, at or prior to that time, yet he did not carry it out by experiment, and thus give it to the world; and, on that supposition, it was the case of an important thought occupying two minds at the same time—only one of whom brought it out by experiment, and is therefore the discoverer. It was clear that the discovery was destined soon to be given to the world. Science had almost reached it—but a single step, and it was compassed; and it happened in this case, as in many others, that the necessities of the profession, and a want deeply felt in the daily business of life, rather than scientific induction, at last produced the consummation."

Although the committee deduced their conclusion from evi-

dence, without resting on individual opinion or authority, they were greatly strengthened by the report of the trustees of the Massachusetts General Hospital. This was confirmed by a statement, sent by authority of Dr. James Jackson, the head of the medical profession in Boston, that "Dr. Morton is more entitled to a grant from Congress, for the ether discovery, than any and all other persons in the world."

Resolutions were appended to the report, one of which, unanimously endorsed by the professional and scientific gentlemen who had interested themselves in the question, read thus:

"*Resolved*, That to Dr. W. T. G. Morton is due the credit of having made the first practical application of sulphuric ether as an anæsthetic agent, and demonstrated to the world its power to destroy nervous sensibility to such an extent as to enable surgeons to perform all the various surgical operations upon the human body without pain."

The amount of correspondence which Dr. Morton was for many years engaged in has been before referred to; the answers and communications received by him he has now filed away in volumes in chronological order, and the collection constitutes a most formidable array of manuscript. No correspondence seems too trivial, and no bit of paper, or note, bearing in any way upon the great business of his life, seems too worthless to be kept in some proper receptacle, where there is a place for everything, and everything in its place.

On more than one occasion this methodical exactness and strict attention paid to apparent trifles has brought its reward. Often, in the various severe ordeals through which his claim has passed, would his statements have been doubted, or some important assertion of his adversaries passed uncontroverted, if he had not from its proper nook produced some note, reference, or written proof, which triumphantly established his correctness.

A most remarkable instance of this occurred during the reception of testimony before this committee. Among other affidavits and items of testimony received, was one from a well-known den-

tist of Boston,* who certified, among other events in relation to a business copartnership between himself and Morton, that at the time of their first advertising the copartnership, the credit of the discovery in the advertisement to be inserted into the daily papers was to be fully awarded to Dr. Jackson; but that, to his surprise, when the advertisement appeared, he found that all mention of Jackson's name was omitted; that, surprised at this, "he called the attention of Dr. Morton to the fact, and asked him why he struck out those words. He hesitated, and seemed not to know what to say, when I said to him: 'Morton, why do you quarrel with Jackson? You injure yourself, and injure your business.' His reply was: 'I wouldn't if he would behave himself. The credit of the discovery belongs to Dr. Jackson, and he shall have the credit of it; I want to make money out of it.'"

This was astounding testimony to come from the friend and old partner of Morton, and went, as it was said to have happened in November, 1846, a few days after Morton's alleged discovery, far to establish a belief in the minds of the committee in opposition to his claim. The testimony of the dentist went into minute detail; he said that the form of advertisement was written by Dr. Gould at their request; that it was hastily prepared upon the back of a letter which he pulled from his pocket, &c., &c. This deposition would have done a grievous injury to Dr. Morton if he had not been fully equal to the emergency, and met it at once by his carefully-kept books of proofs.

I give the rest of the incident in the words of the committee: "When this deposition was received, the chairman showed it to Dr. Morton, who in a few minutes brought to him a bound book, entitled 'Miscellaneous Notes.' On the 91st page was a manuscript in the handwriting of Dr. A. A. Gould, written evidently on the outside sheet of a letter addressed to Dr. A. A. G., and post-marked 'Washington City, D. C., July 9,' from all which it was most manifest that this was the original draft of the advertisement testified to. This paper contrasted with the evidence, as the contents of an original draft fixes in the minds of your committee the just value of this species of evidence. Your committee also

* Dr. N. C. Keep.

examined this original paper, which is the subject of the deposition, and are satisfied that it has never been altered by erasure or interlineation since it came from the hands of Dr. Gould. The entire narrative, therefore, that the paper originally conceded the whole merit of the discovery to Dr. Jackson, the conversation relating to *that*, the alteration by Dr. Morton before publication, the reproof given him by the witness, and Dr. Morton's reply, still insisting that the credit was due to Dr. Jackson, and that he should have it, is all shown to be false from beginning to end, the mere creation of an excited imagination; not an error in regard to the force of terms, but a statement which, by a fortunate reference made in it to a written paper, is proved to have no foundation whatever in truth."

This saving piece of paper is still carefully preserved; it is merely a small bit about three or four inches square, of the back of a letter, with part of a direction and post-mark upon it. It is so small and irregular in shape, that in order to keep it from being lost, is was necessary to paste it to the back of another. Who would have thought of preserving for several years a small slip of paper which had been used to frame a newspaper advertisement upon, unless a really careful, methodical, thinking man?

Returning to the North immediately after the presentation of the report made by the Congressional committee, Dr. Morton made a brief stay in Baltimore, where he had first devoted himself to professional study ten years previous, and where he now unexpectedly received the regular degree of Doctor of Medicine from Washington University. Dr. J. C. S. Monkur was at that time president of this well-known *Alma Mater*, and among the professors were Doctor Stokes, McCook, Roberts, Bond, Wright, and Cook. Invited to dine with these gentlemen, Dr. Morton found the following note under his plate—an agreeable way of conferring the honor:

"DEAR SIR: It affords me much pleasure to inform you, that at a meeting of the faculty of the Washington University at Baltimore, you were unanimously admitted to the Degree of Doctor of Medicine.

"THOMAS E. BOND, *Dean of Faculty.*

"Dr. W. T. G. MORTON."

CHAPTER XVIII.

THIRD APPLICATION TO CONGRESS.

"In a free government, almost all the other rights would become utterly worthless, if the government possessed an uncontrollable power over the private fortune of every citizen. One of the fundamental objects of every good government must be the due administration of justice; and how vain it would be to speak of such an administration, when all property is subject to the will or caprice of the legislature and the rulers."—*Judge Story.*

In the autumn of 1851, Dr. Morton received a letter from the Secretary of State, enclosing an extract from a dispatch received from the American minister at Berlin, which stated that Baron Humboldt wished the name of the original administrator of ether for surgical purposes. "Your name has been connected with the subject," wrote Mr. Crittenden, "and therefore any information you may see fit to forward hither for the purpose will be transmitted with pleasure for Baron von Humboldt's use."

Ere this reached Boston, Dr. Morton had determined to revisit Washington, and again submit his claim to the investigation of a Congressional committee. Supposing that this would not occupy many weeks, he delayed his reply.

But the same obstacles existed at this time that had so nearly frustrated his wish two years before. His pecuniary prospects were no brighter that at that dismal period. But the friends who had extricated him on the last occasion again stepped forward, with several new ones, on learning his position, and some of them became especially active in endeavoring to provide the means. As a result, by the latter part of November his arrangements were so far satisfactorily completed, and such an amount had been raised or promised, as to justify him in making decided preparations for departure. Just before leaving, however, a change in plan took place which seemed much more favorable for his cause. One

of the gentlemen who had been called upon to furnish some assistance, a man of wealth, position, and reputation, happened to call at the house of Dr. Morton. The conversation was relative to the proposed application to Congress. Dr. Morton went, for his information, fully into the particulars, and explained the great difficulty which he labored under in accomplishing his design, owing to the want of money, and explained the steps which had been taken for the acquisition of some portion of the amount needed. On learning that this sum was to come from such divided sources, the visiter expressed his regret, as he said a much longer time for its collection would be required than Dr. Morton could afford, and a great risk of failure in procuring a sufficient amount incurred. He stated that he thought it far preferable that some one should advance the whole sum needed, receiving as compensation for it some per-centage of what should be awarded by Congress.

A short time after, in company with his father, this gentleman called upon Mr. Bowditch, and made particular inquiries about the claim, its probable success, and the manner in which it was to be urged. Rendered satisfied by the investigations instituted, he finally made a proposition, which was at once accepted. The other gentlemen who had interested themselves in endeavoring to raise a satisfactory amount, or had pledged themselves to advance sums, were then notified of the new arrangement. Without exception they expressed themselves as perfectly satisfied, and congratulated Dr. Morton on the more certain and satisfactory plan which had been adopted.

The mere announcement of his intention to have his claims again presented before Congress was received by his friends with enthusiasm, and we copy some of the letters of encouragement and of introduction which reached him on every hand. They show that the great and the gifted of our land bore him nobly in their memories, and did not hesitate to volunteer their opinion of his individual worth, his intrepid defiance of professional opposition, his triumphant introduction of his discovery, and the value of that discovery itself.

"BOSTON, *November* 28, 1851.

"MY DEAR MORSE: Here is our townsman, Dr. Morton, anxious to give his high-minded compatriots one more chance to do him justice. He expresses himself greatly indebted to you for your assistance two years ago, and I know you for a stanch friend and supporter when you have once set down your foot. What can you do for him now? Will you do it?

"Yours, most truly,

"O. W. HOLMES.

"Hon. ISAAC EDWARD MORSE."

"BOSTON, *Nov.* 28*th*, 1851.

"MY DEAR SIR: At Dr. Morton's request I write this note of introduction to you, to confirm all that Dr. Holmes says of his neglected claims. If you can be of any service to him in bringing them before Congress, I should be very glad. In any event believe me very truly yours,

"GEORGE A. BETHUNE.

'Hon. G. T. DAVIS."

"BOSTON, *Nov.* 28, 1851.

"MY DEAR SIR: This will be handed to you by Dr. Morton, who is entitled, I think, to the name of the discoverer of the anæsthetic powers of ether. You are fully aware what a blessing this has been already to the human race, and I trust that Congress sufficiently appreciate it to grant him some reward.

"It is for this purpose he visits Washington, and I hope that he will receive some compensation for the labor he has incurred, and the sacrifice he has made, though it would be hardly possible to make him one that would be at all in proportion to the benefit mankind will receive from his discovery.

"I remain very truly,

"Your friend and humble servant,

"GEO. HAYWARD, M. D.

"Hon. CHAS. SUMNER."

"BOSTON, *Nov.* 29, 1851.

"SIR: Although, personally, I have not the honor of being acquainted with you, I feel that my profession will allow me to address you upon a subject which will be brought before Congress during the ensuing session. I refer to a petition which will be presented by Dr. Morton for a recompense from government for the discovery of the anæsthetic qualities of sulphuric ether. If there be a human being in America to which the United States Government *can* give a reward for great and lasting benefits conferred

upon the whole race, I think Dr. Morton is the individual; for to him *alone* I believe we owe the complete knowledge of the fact of those peculiar properties of ether, to which I have alluded. He has already been the means of relieving more human woe than any other man of his age. He deserves, therefore, the noblest reward a nation can bestow; but there is a second reason why Dr. Morton should receive some compensation from government.

"I think it is a fact that this government, throughout its army and navy, is encroaching upon the patent-rights granted originally to Dr. Morton. I trust, however, that no such low reasons will be sincerely urged. Dr. Morton will hereafter stand by the side of Jenner, as one of the benefactors of the race, and it does seem to me that if the French National Institute can reward him, his own government should not neglect him.

"I remain, very respectfully, yours.

"HENRY I. BOWDITCH.

"Hon. CHARLES ALLEN M. C."

"WASHINGTON, *Jan.* 16, 1852.

"MY DEAR SIR: I take pleasure in presenting my friend, Dr. Morton, of Boston, the discoverer of etherization. His object in visiting the arsenal is to inquire, to what extent this discovery has been introduced in the surgical and medical practice at that station, and also to learn, if he can, from the surgeon, whether or not it has been generally used in the army. Dr. Morton is a gentleman of high standing in his profession, and in every sense a gentleman.

"I have the honor to be, most respectfully,

"Your friend and obedient servant,

"ALBERT SMITH.

"Maj. A. MORDECAI."

"WASHINGTON, *Jan.* 16, 1852.

"DEAR SIR: My friend, Dr. Morton of Boston, the discoverer of etherization, is anxious to consult you upon the subject of his discovery, as the head of the army. Dr. M. is a gentleman of high scientific attainments, and of most respectable standing in his profession, and having made known to me his desire, I have presumed, upon my acquaintance with you, to introduce him to you.

"With the highest respect,

"Your obedient servant,

"B. B. FRENCH.

"Gen. WINFIELD SCOTT."

"NORFOLK, VA., *Feb. 4th*, 1852.

"MY DEAR SIR: You do not overrate the deep interest I take in the successful prosecution of your matters before the Committee of Congress. The claim is based on the fact of your being the discoverer of the anæs-

thetic power of ether. All reliable testimony convinces me that, beyond question, you are entitled to that honor.

"That fact being admitted—a consideration second only to the discovery itself, is the liberal, disinterested, philanthropic use made by you of what you had discovered: when, too, your pecuniary interests would have been incalculably promoted by an opposite course. Many years' experience in all quarters of the globe has established the truth, that surgery has known no such discovery, in modern, or, perhaps, in any times, to relieve pain and perhaps to preserve life, under surgical mutilation, as the ethereal vapor is.

"Now, dear sir, what friend to man can fail to recognize the obligation of society to bestow a suitable reward upon the discoverer of the ether power? The testimonials of approbation and gratitude from individuals and associations of individuals of the highest name and authority in the country, so freely bestowed on you, can never repay you for the time, labor, expense, and anxiety, incurred by you in making, in prosecuting, and in bringing to perfection, the wonderful discovery. It is then of right and in justice that your pretensions to be considered a national benefactor, are submitted to Congress; nor can it be doubted for a moment, that the national legislature will hesitate to award to the discoverer of the anæsthetic power of ether such a compensation as becomes alike the great discovery, and the Congress of the United States.

"I am, my dear sir, very truly,

"Your friend and servant,

"W. T. G. MORTON, M. D." "S. W. HENDERSON.

"BOSTON, *Nov.* 29, 1851.

"SIR: May I be allowed to commend to your favorable notice the petition which Doct. Morton intends to present to Congress relative to a recompense for the discovery of the peculiar properties of ether. I believe that to *him alone* we owe the *complete proof* of these properties; and that had it not been for the boldness and determined character of Doct. Morton, we should now be wholly ignorant of that which relieves so much of human misery. Believing this, I think he deserves most richly a national reward.

"I remain, very respectfully yours,

"HENRY I. BOWDITCH, M. D.

"HON. ROBERT RANTOUL."

"BOSTON, *Nov.* 28, 1851.

"DEAR SIR: Doctor Morton visits Washington this winter to present his claims for the discovery of etherization to the notice of Congress. I take a particular interest in his claim which I think a just one, and worthy of being acknowledged by such a tribunal. If anything can be done for

him through your assistance, it will be fully appreciated by your friend and servant,

"R. W. HOOPER, M. D.

"Hon. GEORGE T. DAVIS."

"WASHINGTON, 19 *Jan'y*, 1852.

"DEAR SIR: I have read, with interest, the enclosed letters, and shall take occasion to name the subject to my friends in Congress, as I may have opportunity. I trust that you will receive from Congress that consideration which your important discovery entitles you to.

"Very respectfully, yours,

"JOHN MCLEAN.

"DR. MORTON."

On his arrival in Washington, in December, Dr. Morton was greeted with that cordiality ever manifested toward him by those whose minds have not been warped by prejudice; prominent among these, who were well acquainted with him and with the merits of his discovery, was the Honorable Daniel Webster, then Secretary of State, who now again took a deep interest in the just claim brought before Congress. He also introduced Dr. Morton to many distinguished individuals, among them the celebrated Kossuth. The attendance of Dr. Morton at the Congressional banquet given to this distinguished Hungarian, is the only occasion in which we find any record of his appearance in public, excepting at professional or at agricultural meetings. Conscious of his position, and of his merits as a world benefactor, he has never sought to parade himself before large assemblages, but rather preferred the quiet enjoyment of home and friends. It is this exemplary domestic life which has gained for Dr. Morton that personal popularity which ever attaches itself to an unobtrusive man, pointing him out as worthy of esteem and confidence.

At the earliest opportunity, Dr. Morton called upon Mr. Webster, in order to confer with him on the necessary moves to be made, and the proper manner to bring his memorial to the attention of Congress. He found Mr. Webster had received several letters from gentlemen in Boston and its vicinity, who desired to secure his friendly interest for Dr. Morton. He stated that

his opinion exactly coincided with theirs. and showed no hesitation in avowing, how completely his mind was made up. He closed by saying, "I am glad that Boston is now going to right herself upon this subject, by aiding to assert the claim of one of her citizens upon the national treasury."

The advice given by Mr. Webster was, that the claim should be presented to a select committee, and that the first step taken should be the request for the appointment of such a committee to examine it. He added, that great care should be taken in the selection of this committee, as it was all-important to have it composed of members from different states, more especially with reference to latitude and longitude than of party politics. That it should consist of both whigs and democrats, but that the most important consideration of all should be, that the members should be sufficiently at leisure to give it their most careful attention.

On the same day Dr. Morton called upon the Hon. Charles Sumner, from whom he received the most encouraging welcome. He said that he also had received several letters on the same subject, but that they were entirely unnecessary, for, he added, "I have known your cause from its commencement, and so convinced am I of its justice, that when application was made to me, while a member of the Suffolk bar, to wield the pen in your opponent's behalf, I declined to do so, for any fee, on the ground that I could not do it in conscience."

In company with Mr. Sumner, Dr. Morton went to the capitol to meet Gov. Davis, one of the members from Massachusetts, and a native of the same county as Dr. Morton. He was found full of enthusiasm concerning the legitimacy and justice of the claim, and expressed his opinion very plainly as regards its merits. He agreed entirely with Mr. Webster as to the formation of the committee, but thought, in addition, that it should be composed of military as well as medical men, as those best qualified to judge on statistical points, and whose opinion would carry the most weight.

The plan of operations was further matured in the evening by the additional advice of the Hon. Robert Rantoul, another of the members from Massachusetts, who called with Gov. Davis.

Their recommendation, which was adopted, was that the petition should be presented by Col. Bissell, of Illinois, who was not only an old member and leading democrat, but also formerly of the medical profession, and a great favorite in Congress.

Dr. Morton's memorial, presented in the House of Representatives early in the session, was referred on the 10th of the month to a select committee, consisting of Hon. W. H. Bissell, M. D ,* of Illinois; Hon. Jos. Sutherland,† of New-York; Hon. Robert Rantoul, of Mass.; Hon. Graham N. Fitch,‡ M. D., of Indiana, and Hon. E. Stanly, of North Carolina. Dr. Fitch had been a professor in Rush Medical College, and was at that time a regent of the Smithsonian Institution; the other gentlemen were also of high scientific character and research.

The first meeting of the committee appointed was held on the 20th of December, in the room devoted to the committees on military affairs. At the hour named, Dr. Morton was punctually present, but not so his opponents, who had been duly notified of the formation of the committee, and of the hour and place of its meeting. After dancing attendance for two hours, a note was brought to the chairman from the attorney of Dr. Jackson, stating that it would be impossible for his client to appear. This was the first intimation received by Dr. Morton that his rival intended to employ counsel. His doing so necessitated the same measure on his own part. This would have been considered an easier task in Boston, where a counsel conversant with the points at issue could have been secured with but little difficulty. But in Washington the troubles and expenses were greatly increased, as there was no person there who had given the subject the least consideration, and was in any way prepared to undertake so important a case. Dr. Morton, however, chose and finally succeeded in securing the services of J. M. Carlisle, Esq., the principal attorney of the district. All the time of this gentleman, from the adjournment to the next meeting

* Governor of Illinois.

† Judge of the Supreme Court, N. Y.

‡ Now in the Senate of the United States.

was fully employed in reading over the documents, and in preparing himself even in the most cursory manner for a proper representation of the cause of his client.

At the next meeting the attorney of Dr. Jackson was no more punctual than at the previous one, and kept the members waiting until their patience was nearly exhausted. When at length he appeared, it was only to request a postponement for two hours, as he said he wished then to convince the committee the Congresss had no right to examine the subject at all, and a little more time was needed for preparation. Wishing to give the widest latitude to the investigation, the committee decided to comply with this request, and accordingly again adjourned.

At the hour of re-assembling the attorney was prompt, and at once proceeded to state his principal points and objections to any examination. First, he said his client was too poor to come to Washington. Secondly, he was unwilling to spend his valuable time in waiting upon committees of Congress. Thirdly, that if any decision was arrived at, it would have no practical effect upon the world. Fourthly, that posterity was the proper tribunal for the adjudication of the vexed question. Fifthly, that as his client, a man of profound science and high standing in the community, had made a positive assertion, had claimed the discovery, and entered his protest against Dr. Morton, that the subject ought to be at once and forever dropped. Lastly, if it must be examined at all, it could be done better in Europe than here. Upon closing, he insisted that the committee should take a vote whether to proceed or not.

By request all present except the members retired, in order not to interfere with their deliberations. But for this a few moments only were required. On being recalled, the chairman stated that it was their unanimous opinion that they were competent to go on with the investigation, and directed all the evidence to be laid on the table.

The report of the four first-named gentlemen of the committee subsequently issued thus refers to this occasion. It commences with a history of its examination of the evidence, from which it appears, "that, upon the suggestion of the memorial-

ist, that his claim to the discovery was contested by Dr. Charles T. Jackson, of Boston, the chairman addressed to him a letter, notifying him of the proceedings, and of the day when the committee would begin the investigation; advising him, that if he desired to do so, he was at liberty to contest Dr. Morton's application. The chairman received a statement from Dr. Jackson, in reply. Afterward a memorial from Dr. Jackson was presented to the House and referred to your committee." And on the 20th day of Dec., 1851, at a meeting held pursuant to notice, for the purpose of arranging the preliminaries to the examination, both parties appeared before the committee by counsel. In his paper, Dr. Jackson presented objections to the inquiry, combining in effect a plea that the matter was *res judicata*, and a plea to the jurisdiction of Congress, which were discussed, and considered as preliminary to a general investigation.

"The committee, being unable to perceive the force of these objections, overruled them, and, in the discharge of the duty imposed on them by the House, proceeded with the investigation."

The committee then adjourned, but, before his departure, the attorney of Dr. Jackson collected the evidence which he had handed in, and in order to prevent an inspection of it by Morton's attorney carried it away with him. It was the intention of the committee to have examined all the evidence during the adjournment, but as owing to this manœuvre, the material was withheld from one side, no opportunity was afforded. In order to prevent any recurrence of this measure at the next meeting, a resolution was passed that all evidence should be debarred not handed in to the committee before a certain fixed date. This produced the desired effect, and all the testimony needed was afterward furnished.

But although, to a certain extent, the committee were unoccupied, Dr. Morton had no opportunity to sit with his hands before him. To quote his own words in a letter to a friend: "I used to think I knew what it was to be busy, but as I find myself now, I must confess I know nothing about it. It is trying to

keep strained up as I am every moment, and I do hope the day may come when I can sit down quietly, and really have a little rational enjoyment."

In addition to preparing his evidence, conferring with his lawyer, and answering the multifarious questions put to him by those interested in the controversy, he, of his own accord, shouldered much of the labor of the committee itself, by endeavoring to collect matter to assist the members in their investigations. He prepared a circular,* which was addressed to various scientific men and surgeons, and also to every medical school, civil, naval, and military hospital, throughout the country, and requesting statistics of the generality of the use of ether, and the value attached to it. In order that each circular should carry as much weight as possible, he took the pains

* "WASHINGTON, D. C., *February* 1, 1852.

"GENTLEMEN: In order to ascertain, as far as possible, whether the mortality of surgical operations has been lessened or not by the use of anæsthetic agents, I desire to obtain information of the results of the larger amputations in America. To determine this point, amputations have been selected in preference to other operations, because of their uniformity under ordinary circumstances. You will, therefore, oblige me by filling up the following table with any results of the amputations in your practice. I particularly wish to know all the deaths, as well as recoveries, in these operations. By thus collecting in the whole a large body of statistical data, I hope to be able to arrive at some satisfactory numerical results. The information sought is to be laid before a committee of Congress, upon whose immediate report to this session legislative action will probably be based.

"I am, very respectfully,

"Your obedient servant,

"W. T. G. MORTON, M. D."

Results of amputations performed:

Seats of amputation.	*Recovered.*	*Etherized.*	*Not Etherized.*	*Died.*	*Etherized.*	*Not Etherized.*
Amputation of thigh....						
Do. leg.....						
Do. arm.....						
Do. fore arm.						
Total.....						

to procure the endorsement of a member of Congress for each district to which the circulars were to be sent. In addition, he busied himself in an examination of all the statistics procurable, as regards the relative increase or decrease of mortality since the introduction of the use of ether.

It was by no means an easy matter to find the addresses of all these persons, as there was no central point to which he could refer. To complete the list, and have as few omissions as possible, he was obliged to procure a directory from each different city, and, whenever possible, some state records.

One fact was discovered by this investigation, showing the extent to which it was used, that previous to the discovery the allowance in the army was eight ounces of ether to every hundred men. But after the discovery the amount was increased to eight pounds.

The following quaint bit of encouragement was forwarded to Dr. Morton at this time, by a gentleman in Boston, who had received it from Dr. Boot, of London—the first administrator of ether in England: "I was much interested in your discussions of the ether question, and entirely agree with you in your conclusion, and should say, as in the case of the yacht race, '*Morton is first, and Jackson is nowhere.*' I am glad that you are making a gallery of portraits of your benefactors and distinguished medical men, and Morton's should be among them. I still hope Congress will reward him."

It was at the last meeting that the endeavor was made to place, with the evidence, the infamous charges against the private character of Dr. Morton, which have been before spoken of. As the attorney of Dr. Jackson was about to leave the room, he turned back, and with some embarrassment, remarked: "In pursuance of my instructions, I very reluctantly lay before the committee these papers pertaining to the character of Morton," at the same time drawing from his pocket a large packet. Mr. Carlisle instantly rose and said: "Dr. Morton is the last man to shun investigation. In my opinion you have done him the greatest favor, that of giving form and definiteness to charges which have been so long set afloat in the community, but which he has

heretofore been unable to procure in such a form as to admit of a refutation." Although for a short time the parcel at the request of the chairman was placed in possession of Mr. Rantoul, no official examination was allowed or use made of it, or of the opposing testimony handed in by Dr. Morton.

Opposition to the use and worth of his discovery, Dr. Morton had become accustomed to, and he had, as before narrated, suffered from the effects of inuendoes carefully thrown out against his reputation—the pretenses for foundations upon which was based the fabric of falsehood which he now so earnestly endeavoerd to overthrow. His letter of September, 1847, to Dr. Gardner, of London, showed his desire that his detractors should put their insinuations "in print," that he might prove their falsehood and their malevolence. But, as he states in the same letter, he had been induced to believe that the personal warfare was at an end, and the matter in controversy placed upon scientific grounds. It would have been well for his opponents had this been the case, for they would then have been spared the mortification of seeing their cunningly collected mass of defamation rejected without any further examination than to ascertain its nature. And although Dr. Morton might have exclaimed, as did Lord Stafford in his memorable defence: "Where has this fire lain hid, without smoke to discover it, until it bursts forth to consume me and my children?" he did not even seek to avoid it; and his eagerness to meet the issue had an effect on the committee directly opposite to that which had been intended by the authors of the slanders.

The committee, unwilling to entertain any personal slanders, invented for the purpose of diverting their minds, commenced an investigation of the subject of anæsthesia which even eclipsed that submitted to the preceding Congress. Their report shows, that after making an historical examination into the attempts to produce anæsthesia in ancient and modern times, they were "satisfied, upon a full and careful examination of all the evidence before them, that until the 30th of September, 1846, it was not known that sulphuric ether might safely be inhaled in sufficient quantity to produce total insensibility to pain under the severest

surgical operations. The safety of this agent," say the committee, "its certainty, its efficiency, are now established beyond question, and acknowledged by the whole scientific world. This great discovery, by far the noblest contribution which medical science has made to humanity within the present century, and with which, looking through all ages, no other except that of Jenner can take rank, sprung to light in the year 1846, in the State of Massachusetts; and the memorialist, Dr. William T. G. Morton, claims it as his own.

"Certain it is," the report goes on to say, "he was the first who exhibited it to the world, and the only one who publicly used or claimed it, until after its reality and efficacy had been fully established. The honor of the discovery, therefore, must be awarded to him, unless some one can show, by satisfactory evidence, an older and a better title. From the 30th of September, 1846, until the 2d day of January, 1847, during which time this discovery passed successfully the *experimentum crucis*, Dr. Morton was in full, and sole, and undisputed possession. For a time, he held the operative agent as a secret, but at last disclosed it, by letter, to the faculty of the Medical Hospital at Boston, with a view to its trial, in what is called in surgery *a capital case*. It was not until some time after this trial had been made, and proved successful, that a claim was publicly set up by any one to the honor or a share in the honor of the discovery."

This position the committee sustained by the publication in their report of Dr. Morton's "Memoir to the French Academy," which they justly say is "simple, natural, and in every step corroborated by some marked circumstance, proved by testimony of one or more disinterested witnesses. A narrative such as his, so supported, goes far to sustain the title which possession, undisputed for a time, would have given him."

After this "Memoir" in the report, is a record of the elaborate investigation of all the evidence on the subject, which is analyzed and criticised with great ability, and the summing up of which is a glorious triumph of Dr. Morton's claim to the discovery.

Having established the question that a discovery of great im-

portance to mankind had been made—and that it had been made by Dr. Morton—the committee then took into consideration the question of national recognition and reward. In fixing the importance and value of the discovery (though fully satisfied themselves), "the committee thought it not proper to act upon their own unaided opinions." Dr. Morton's carefully continued record of the rise and progress of etherization supplied them with many important facts, and much valuable information of later date, was collected from his circular, addressed to physicians, and soliciting information "of the results of the larger amputations" performed by them. By his efforts he had provided a large array of statistical data, showing, by the most satisfactory numerical results, that the mortality of surgical operations has been greatly lessened by the use of anæsthesia.

So conclusive was this evidence, that the chairman of the Committee determined to amplify it by addressing a second series of circulars,* in his official capacity, to the different hospitals, to medical institutions, to many of the most eminent physicians and surgeons in the United States, and to the surgeons of the army

* "WASHINGTON, *Jan.* 20, 1852.

"GENTLEMEN:—The undersigned, Chairman of a Select Committee of the House of Representatives to inquire into and report upon the claims of Wm. T. G. Morton, of Boston, to the merit of the discovery of sulphuric ether as an anæsthetic agent, and to compensation for the use of such discovery in the army and navy of the United States, in the hospitals, and by the public generally, is desirous of obtaining such information as you can conveniently furnish in answer to the following inquiries:

"1st. Is ether or chloroform used as an anæsthetic agent to your knowledge in the army or navy?

"2d. If used, to what extent, in what classes of diseases or of operations, and with what effect?

"3d. What, in your opinion, is their effect in diminishing mortality?

"4th. To what extent, in what classes of cases, and with what result, are they used in private practice in your vicinity?

"5th. In what appreciation are they held by the medical faculty within your knowledge?

"You will confer a favor by communicating the information requested, as soon as convenient.

"Very respectfully, yours,

"W. H. BISSELL."

and navy. The answers to these were very numerous; too much so, and too lengthy for publication, but were carefully perused, and their contents carefully noticed by the committee. Only two of this mass of letters spoke disparagingly of the discovery, and one of them did not profess to speak from the writer's own observation.

The committee annexed extracts from some of these answers to their report, and a few entire letters, exhibiting the general opinion of the *value* of the discovery. By these its value was found indisputable, and almost universally acknowledged; it was, therefore, not deemed necessary to multiply extracts in its proof. They exhibited, likewise, the general use of the discovery in the army and navy.

Prominent among the professional documentary evidence were the following letters from the Surgeon-General of the Army, and the chief of the Bureau of Medicine and Surgery of the Navy, addressed to Dr. Morton, and laid by him before the committee:

"SURGEON-GENERAL'S OFFICE, *March* 1, 1852.

"SIR: In compliance with your verbal request to be furnished with information in regard to the employment of anæsthetic agents in the army of the United States, and also for an expression of opinion as to the value and importance of this class of remedial agents, I have to state:

"That sulphuric ether and chloroform were used to some extent in the military hospitals established at the theatre of war in Mexico, but the use of those articles was not so general as at present, for the reason that the apparatus at that time believed to be essential to their proper and safe administration was not adapted to service in the field.

"At the present moment it is believed that no surgical operation of importance is performed by the medical officers of the army without the aid of some anæsthetic agent.

"Previous to the discovery of this new application of sulphuric ether, the annual supply of that medicine was one pound for every hundred men. On a revision of the standard supply table by a board of medical officers in 1849, the pure washed sulphuric ether was substituted for the ordinary sulphuric ether, and the quantity allowed was increased one hundred per cent. At the same time another anæsthetic agent, the tincture of chloroform, commonly called chloric ether, was added to the supply table, and is now regularly furnished to the medical officers in such quantities as, in connection with the sulphuric ether, will suffice to meet all the demands of the service in this particular.

"Although the discovery of this new therapeutic effect of sulphuric ether has led to the introduction and employment of other anæsthetic agents, this does not in any way militate against the merits of the original discovery, which I regard as one of the most important and valuable contributions to medical science, and to the relief of suffering humanity, which has ever been made; the only discovery to be compared therewith being that of vaccination, which has rendered the name of Jenner immortal.

"Through the influence of these remedial agents, the surgeon is not only enabled to perform the most extensive and difficult operations, undisturbed by the cries and struggles of the patient, but what is of far greater importance, the patient, being rendered insensible, escapes that shock to the nervous system, which in itself is not unfrequently fatal. For this reason operations can now be performed with much more safety than heretofore, and that too in cases in which the attempt to perform them would have been forbidden by the general condition of the patient.

"To the physician this class of remedial agents promises to be of the greatest utility, though their application in the treatment of disease has yet to be more fully developed.

"It will suffice at this time to allude to their employment for the relief of suffering woman in the hour of her greatest trial, and at the moment she claims our warmest sympathies. That these agents can be safely used in parturition, so as to afford full and entire exemption from pain to the mother, and with safety both to her and to the child, has been amply demonstrated.

"In conclusion, permit me to congratulate you upon the flattering testimonial you have received from the National Institute of France for this discovery, and to express the hope that, inasmuch as it is impossible for you to derive any pecuniary benefit therefrom in ordinary course by letters patent, you may receive from your country that acknowledgment of your merit which is due to one who has conferred so great a boon upon mankind.

"I am, very respectfully, your obedient servant,

"TH. LAWSON, *Surgeon-General.*

"W. T. G. MORTON, M. D.
"*Brown's Hotel, Washington, D. C.*"

"NAVY DEPARTMENT,
"BUREAU OF MEDICINE AND SURGERY,
"*February* 26, 1852.

"SIR: As the views of this bureau are desired in regard to the importance attached to the different anæsthetic agents by the medical officers of the navy, it gives me pleasure to express the high sense entertained by them of their great utility, not only in surgical practice, but as powerful agents in many painful affections, which have resisted the ordinary remedies. This opinion is strengthened by the concurrent testimony of the ablest civil practitioners of our own country, with the emphatic endorse-

ment of their value by the best British and Continental surgeons. In the absence of statistical information, accurately made up, it is somewhat difficult to estimate the relative value of these ethereal preparations; but if the recorded opinions of professional men, as expressed in the various medical journals of this country and Europe, are deemed of any weight, the discovery of etherization as a means of avoiding pain in severe surgical operations may be considered the most important, in a philanthropic view, which this century has produced.

"The observation that exhilarating effects resulted from the inhalation of ether is no recent acquisition to medical science; but the novelty and gist of this discovery consist in finding that nervous perception is suspended under the influence of the ethereal inhalation, and while so suspended, the patient is unconscious of pain while under the operation of the knife.

"In addition to the great benefit derived from its use in alleviating pain, it has a decided effect in diminishing mortality. Its advantages in this respect appears to be in saving the system from the severe shock and nervous exhaustion which attend most of the graver surgical operations, and which of themselves often prove fatal.

"It dispels the fear of pain, which formerly prevented many from submitting to an operation, or induced them to defer it until too late.

"It enables the surgeon, also, to operate more coolly and effectually, undisturbed by the cries and struggles of the patient, which sometimes unnerve the steadiest hand, and render abortive the best-directed efforts.

"The medal of the first class, awarded to you by the 'Medical Institute' of Paris, evinces the high estimation entertained, in that centre of medical science and intelligence, of the services you have rendered to humanity.

"It is earnestly hoped that our Government, with a similar appreciation of this great acquisition to medical science, will stamp their sense of importance, by a substantial acknowledgment which, while it encourages the philanthropist in his efforts to meliorate the condition of his fellow-men, will remunerate you in some measure for the toil and vexation attendant on your struggle for success.

"Respectfully, your obedient servant,

"THOMAS HARRIS,

"*Chief of the Bureau of Medicine and Surgery.*

"WM. T. G. MORTON, M. D., *Washington.*"

These opinions, strengthened by the concurrent testimony of the ablest practitioners of both Europe and America, convinced the committee that Dr. Morton's discovery was an invaluable acquisition to medical science, and a real boon to the human race. The only remaining question then to be decided was, what would be a proper compensation to Dr. Morton, both as a reward for

the contribution which he had made to the public good, and a fair equivalent for the immense advantage resulting to the public service of the country from the discovery. To use the words of the committee: "Great Britain, France, and all other enlightened nations, have, from time immemorial, rewarded munificently such services to humanity. The British Parliament, by two successive statutes, bestowed upon Jenner the sums of ten thousand and twenty thousand pounds for the discovery of vaccination. The world has as yet produced but one great improvement in the healing art deserving to be ranked with that of Jenner. America, by annihilating pain, has done as much for the benefit of the race, as England did when she furnished the instrument by which the smallpox may be finally exterminated. It would be unworthy of our greatness, and our destiny, as the nation soon to be the most powerful on the globe, to undervalue a benefaction to mankind, which is to the peculiar glory of science, of our age, and of our country."

The committee therefore recommended: "That an appropriation be made for the benefit of Dr. W. T. G. Morton, to be paid to him in consideration of his discovery of the anæsthetic properties of the vapor of sulphuric ether, and of his public and successful application of the said pain-destroying agent in surgical operations, and of its use in the army and navy of the United States, and conditioned that he surrender to the United States his patent for the discovery. The majority of the committee, in view of its use as above mentioned, and of the incalculable value of the discovery to the whole world, are of the opinion that one hundred thousand dollars would not be an unreasonable appropriation for that purpose."

And about the middle of April, they reported a bill to that effect.

This glad tidings was carried forth by the telegraph with lightning speed, awakening joyous hopes in the hearts of thousands—in every section of the republic—that this republic was not ungrateful, and that one of her sons, who was a world's benefactor, would be rewarded.

A short time previous to this, Dr. Jackson had made his ap-

pearance in Washington to superintend the management of his case, and was there when this gratifying intelligence was brought to his ears. Finding by previous investigations that affairs were not going so pleasantly as he wished for his interests, by some means the slanders which had been before diffused were published, and his arrest for libel, as before stated, ensued. At that moment his position was a disagreeable one, and the prospects for his future far from bright.

The political excitement which prevailed at Washington at the time when the elaborate and conclusive report of the select committee was prepared, rendered it impossible to get it before the House. Entirely engrossed with the important nominating conventions which met at Baltimore in June, 1852, a majority of the Representatives refused to abandon "president-making" for any business whatever, and the bill recommended was not, therefore, acted upon, although warmly endorsed by the Secretaries of the Treasury, of the War and of the Navy Departments, and urged by many members of Congress.

It was then that Dr. Morton lost a stanch and tried friend, the Hon. Robert Rantoul, of Massachusetts, who had thoroughly investigated the question of anæsthesia, and who had taken a great interest in rewarding the discoverer. Dr. Morton was with Mr. Rantoul during his last illness, and sent the sad tidings of his death to the Boston newspapers. It was sad thus to lose a champion in the hour of trial, especially one so worthy and well qualified as Mr. Rantoul was. But Dr. Morton had the satisfaction of seeing his friend and adviser—

> ———"Sustained and soothed
> By an unfaltering trust," and sink to death
> "Like one that draws the drapery of his couch
> About him, and lies down to pleasant dreams."

But though thus deprived by death of one old friend, Dr. Morton gained a host of new ones the moment his case was made known by the publication of the report. The following selections from an entire volume of letters in Dr. Morton's possession, shows how the report was received and regarded:

"SENATE CHAMBER,

"WASHINGTON, *August* 16, 1852.

"DEAR SIR: I have had the pleasure to receive the report of the Select Committee on the subject of your memorial to Congress, and though I have not had the pleasure to give it a thorough reading, yet I have read enough of it to satisfy me that you alone are entitled to the credit of the discovery. I draw my conclusions from the statements of Dr. Jackson mainly, in his facts as quoted by the committee and set forth in the report.

"I am, very respectfully, your most obedient,

"W. T. G. MORTON, M. D." "SAM HOUSTON.

"HOUSE OF REPRESENTATIVES, *Aug.* 13, 1852.

"DEAR SIR: At the instance of Dr. Edwards, late a member of Congress from Ohio, I made some examination (two or three years back) into your claims to be the discoverer of anæsthetic ether, and more recently I have read, with greater care, a very thorough and searching report on the same subject by a committee of the House of Representatives. I am perfectly satisfied that the credit of the discovery belongs to you, and I am so much impressed with its importance to the nation at large, and especially to the army and navy, and the marines of the United States, as to entertain a lively hope that Congress will adequately and liberally remunerate you for the use the government has made of it in these departments. You are entitled, justly, to the sum reported by the committee, $100,000, and I shall, without hesitation, vote for that sum myself.

"Very respectfully, your obedient servant,

"W. T. G. MORTON, M. D." "A. G. BROWN."*

"SENATE CHAMBER,

"WASHINGTON, *August* 15, 1852.

"DEAR SIR: A few days since I received from you a copy of the report of the Select Committee of the House of Representatives on your memorial, in regard to your discovery of the anæsthetic properties of sulphuric ether. I did not, at first, reflect upon the subject, and neglected to read the report. In a day or two, however, I happened, more by accident than otherwise, to take it up, and after commencing it, I became so much interested in it that I did not leave it until I had finished it.

"I now frankly say to you, that it is a matter of astonishment that any man should hesitate to acknowledge your right to the discovery, or to a munificent reward from the government for the inestimable blessing you have conferred upon our country and mankind.

* Now in U. S. Senate.

"The amount of this reward I feel myself incapable to determine, but certain I am that the sum recommended by the House is, by no means, too great. My reason for this conviction is this: You have done more for humanity than any other man of the present age; you have done that for mankind which is, in fact, priceless, and which entitles you, at least, to exemption from future pecuniary cares for life.

"I feel this acknowledgment due from me, as at first I neglected your claims, and the evidence upon which they were based.

"Yours very truly and respectfully,

"I. P. WALKER."

"Dr. WM. T. G. MORTON."

"SENATE CHAMBER, *August* 1, 1852.

"DEAR SIR: I have read, with great interest and pleasure, the report of a committee of the House of Representatives in reference to your claim to the discovery of the anæsthetic properties of sulphuric ether, which you did me the honor to send me. This report most triumphantly vindicates your rights in the premises, and in view of the important results that belong to your discovery, I have no hesitation in saying that you are richly entitled to the thanks of suffering humanity throughout the world.

"With the sincere hope that you may reap the full reward of your exertions, I remain, very respectfully, your obedient servant,

"W. BROOKE.

"Dr. W. T. G. MORTON."

"HOUSE OF REPRESENTATIVES, *August* 28, 1852.

"SIR: I have carefully read the reports of Dr. Edwards and Col. Bissell, on your application for remuneration as the discoverer of sulphuric ether, as an anæsthetic agent. The facts therein elicited, together with others, that have come to my knowledge in an authentic shape, leave no doubt on my mind that you were the first person on this continent to use sulphuric ether as a pain-destroyer in the human system, and are entitled to all the honor incident thereto from the civilized world, for your signal service to suffering humanity.

"I have the honor to be, very respectfully,

"Your obedient servant,

"JAMES L. ORR."*

"Dr. W. T. G. MORTON."

"HOUSE OF REPRESENTATIVES, *August* 16*th*, 1852.

"DEAR SIR: I have read with pleasure the report of the Select Committee, on the anæsthetic properties of sulphuric ether. There cannot be

* Now Speaker of the House of Representatives

a doubt, from all the evidence, that you are the 'bonafide' discoverer of the valuable properties of sulphuric ether, that has, and will do so much to alleviate human suffering, particularly in the army and navy, and will aid much in facilitating difficult surgical operations.

"The government is greatly indebted to you as a public benefactor for this valuable discovery, and I hope will not fail to remunerate you.

"Yours, very truly,

"ALFRED GILMORE.

"Dr. Wm. T. G. MORTON."

"WASHINGON, *Aug.* 7, 1852.

"DEAR SIR: I have read the report of the committee on your memorial. I have also read the report of Dr. Bowditch, which is an argument of great ability, and force.

"On the strength of the above arguments, I am disposed to vote for giving you the amount specified in the committee's report—$100,000, and so far as I have conversed with members of the House, I find they have come to the same conclusion.

"With best wishes for your success, I remain very truly,

"Yours, &c., &c.

"HORACE MANN.

"Dr. W. T. G. MORTON."

"HOUSE OF REPRESENTATIVES,
Washington City, Aug. 20, 1852.

"MY DEAR SIR: I am indebted to you for a copy of the report of the Select Committee of the House of Representatives, to whom was referred your memorial asking remuneration from Congress for the discovery of the anæsthetic properties of sulphuric ether, which you were kind enough to furnish me by my request. My attention was called to your invaluable discovery by several intimate scientific friends, and by gentlemen who had witnessed its pain-relieving effects, by its general use during the recent war with Mexico. Curiosity thus impelled has been intensely gratified by reading the report. It strikes me forcibly that no pecuniary recompense however large, can compensate you for the service you have rendered humanity, by your industry in pursuing your experiments to a successful termination. You may, however, be consoled with the reflection, that millions of unborn people will hail your name in time to come, as a great public benefactor. It is idle to contest your right to the discovery, I am well convinced, and so will any one be, I think, who chooses to devote time to reading the mass of irrefragible testimony given in support of that fact. I earnestly hope you may be, in some measure, compensated; hence I will cheerfully, from a sense of duty, vote for the resolution submitted by the Select Committee.

"Truly your friend,

"THOMAS B. FLORENCE.

"Dr. W. T. G. MORTON."

"HOUSE OF REPRESENTATIVES,
"*Washington, Aug.* 6, 1852.

"DEAR SIR: In reply to your favor I beg leave to state that I have read with attention the report of the Select Committee in your case, and take great pleasure in saying that I approve entirely of the conclusion which it adopts. I do not think that any candid man can deny that the evidence clearly establishes your right to the discovery of etherization.

"Very truly yours,
"EMANUEL B. HART.

"Dr. W. T. G. MORTON."

"HOUSE OF REPRESENTATIVES,
"*Washington*, 18 *Aug.*, 1852.

"DEAR SIR: I have carefully read your memorial, and the report of the Select Committee thereon.

"I shall vote for their resolution.

"Very respectfully, yours, &c.,
"HENRY M. FULLER.

"Dr. MORTON."

"HOUSE OF REPRESENTATIVES, *August* 6, 1852.

"DEAR SIR: I have read the report of the committee on your memorial before Congress for compensation for the discovery of the combination and application of chloroform to the relief of the human system from pain. I think it valuable to the country, and am in favor of the bill now before the House, and trust it will be passed.

"Yours, truly,
"W. W. SNOW.

"Dr. W. T. G. MORTON."

"HOUSE OF REPRESENTATIVES, *March* 8, 1852.

"DEAR SIR: I have read with great pleasure the report submitted by you to me on the discovery of etherization. I trust that Congress may at its present session, take measures adequately to reward you for conferring so great a benefit upon mankind.

"Yours, &c.,
"GILBERT DEAN.

"Dr. WM. T. G. MORTON."

Finding that, in the pressure of business and of politics, the bill in favor of Dr. Morton would not be reached during the session, it was determined by the Select Committee to procure, if possible, its adoption as an amendment to the Naval appropriation bill by the Committee on Naval Affairs. This consisted of the

Hon. Messrs. Stanton, of Tennessee; Florence, of Pennsylvania; Goodenow, of Maine; Harris, of Alabama; and Cabell, of Florida.

The following extract comprises all the material points contained in the letter of the Hon. Mr. Bissell, chairman of the other committee in furtherance of this object:

"HOUSE OF REPRESENTATIVES
"*May* 31*st*, 1852.

"SIR:—I have the honor to inform you that the Select Committee of the House of Representatives, to whom was referred the memorial of Dr. William T. G. Morton, asking remuneration from Congress for the discovery of the anæsthetic properties of sulphuric ether, have agreed upon a report (a copy of which is enclosed). which they are awaiting an opportunity to present to the House. You will observe that in this report the committee fully recognize the inestimable benefits conferred upon the human race by this discovery, and believing that the example of the enlightened nations of the old world, in rewarding munificently those who have rendered important services to humanity, is particularly worthy of imitation in the present instance, have determined to report a bill appropriating the sum of one hundred thousand dollars to Dr. Morton, as a compensation for his discovery and in consideration of the surrender to the United States of all right and interest which he now holds in that discovery, in virtue of letters patent granted to him by this government. * * *

"The object of this communication, therefore, is to urge upon your consideration, the practicability and propriety of attaching the bill above referred to to the 'Naval Appropriation bill' for the ensuing fiscal year.

"Very respectfully, your obedient servant,

"W. H. BISSELL.

"Hon. FRED. P. STANTON, *Chairman Committee on Naval Affairs, House of Representatives.*"

Upon the receipt of this communication, Mr. Stanton at once addressed a letter to the Secretaries of War, of the Navy, and the Treasury. As he wrote in order to comply with Col. Bissell's suggestion by submitting the matter to the Committee on Naval Affairs of the House of Representatives, he deemed it appropriate and necessary to procure the views of the department in an official form. "Supposing that you will concur in the views expressed by the chiefs of the medical corps of the army and navy, in the concluding paragraphs of their communications on the subject, I

do not doubt that you will give the proposition of the Hon. Mr. Bissell a fair and liberal consideration."

The following extracts are the concluding paragraphs of the answers received:

"I concur entirely with Col. Bissell and yourself as to the propriety and justice of liberally compensating the patentee, who has not at any time received pecuniary advantage from his discovery, and who now appeals to the legislature of his country, on condition of the surrender of his patent for the benefit of mankind, for proper remuneration in lieu of the gains that he would have derived had he been protected in the use of the rights conferred upon him by letters patent of the government. I therefore recommend that such reasonable and liberal sum, as the committee of which you are chairman may in their discretion determine upon, be reported as a *national compensation* to Dr. Morton, and that the same be attached, as proposed by Col. Bissell, to the 'Naval Appropriation bill' for the ensuing fiscal year.

'I have the honor to be, very respectfully, your obedient servant,

THO. CORWIN,

Secretary of the Treasury.

"I do not know what the practice of the government has been in regard to rewarding individuals for inventions or discoveries made by them, or at least compensating them for the use of them in the public service; but I do not hesitate to say that if it has been the practice of Congress to grant such rewards or compensation, Dr. Morton's claim is fairly entitled to the most liberal consideration.

"Very respectfully, your obedient servant,

C. M. CONRAD,

Secretary of War.

"In regard to the grounds on which Dr. Morton bases his claim to pecuniary remuneration from the Government, I would state, that from the peculiar nature of the discovery, it is impossible to protect the inventor in the exclusive advantage of it by letters patent. The novelty of the discovery consists in the new application of an old remedial agent, and the privilege of using it, on the part of the profession at large, cannot be practically curtailed by statutory enactment. The inventor is thus deprived of the pecuniary advantages of his discovery, and is justified in appealing to the Government, which also largely avails itself of the benefits derived from it, for relief.

"It will be difficult to estimate the amount which the inventor may reasonably ask of the Government, in consideration of the advantages attending its use in the two services. For the reasons above mentioned, the

cost of the ether itself cannot enter as an element into the calculation, and the fairest estimate, I conceive, might be more nearly approximated by the amount one would be willing to give to be rescued from impending death, or to be relieved from urgent and intolerable pain.

"I would express the opinion, however, that the sum of one hundred thousand dollars, proposed by the Select Committee of the House of Representatives as a compensation to the inventor, is nothing more than a fair equivalent for the immense advantage resulting to the Government and country from this important discovery.

"I am, very respectfully, your obedient servant,

"THOMAS HARRIS,

"*Navy Department, Bureau of Medicine and Surgery.*"

But a new obstacle presented itself, in a recent ruling of the House, which made it out of order to append amendments to the regular appropriation bills, which were not made to "carry out previously existing laws." This barrier could not be overcome, and the late period of the session precluded the hope that it could be reached as an independent bill before the House adjourned. Two months of doubt and hesitation followed, as to the next course to be pursued at this juncture. At length, as the only resource left, the committee concluded to proffer a similar request to the Senatorial committee appointed for the consideration of the same subject, and who had a bill then ready for presentation. To the chairman, Mr. Bissell, accordingly addressed the following communication:

"HOUSE OF REPRESENTATIVES,

"*August*, 9, 1852.

"SIR: I have the honor to transmit, for your perusal, a printed copy of a report agreed upon by the Select Committee of the House of Representatives, to whom was referred the memorial of Dr. William T. G. Morton, asking remuneration from Congress for the discovery of the anæsthetic properties of sulphuric ether, from which you will perceive that the Committee have determined to report a bill appropriating the sum of $100,000 to Doctor Morton, as a compensation for his discovery, and in consideration of the surrender to the United States of all right and interest which he now holds in that discovery, in virtue of letters patent, granted to him by this government.

"There is every disposition on the part of the House to favor this bill and its many friends are sanguine of its passing by a large vote if it can be reached. It is feared, however, from the recent ruling of the House, which

makes it out of order to append amendments to the regular appropriation bills, which are not made to carry out previously existing laws, will present an effectual barrier to its being brought up in that manner, and the late period of the session precludes the hope that it can be reached in the ordinary course af business.

"The object of this communication, therefore, is, to urge upon your consideration, the practicability and propriety of attaching the bill above referred to, to the "army appropriation bill" for the present fiscal year, when the same shall come under consideration in the Committee on Military Affairs of the Senate.

"Very respectfully, your obedient servent,

"WILLIAM H. BISSELL.

"HON. JAMES SHIELDS,

"*Chairman of Committee on Military Affairs, U. S. Senate.*"

Upon the receipt of the above letter, the subject was thoroughly investigated by the Military Committee, and they came to the following conclusion:

"*Resolution of the Military Committee.*

"*Resolved*, That the Committee on Military Affairs of the Senate, report an amendment to the army appropriation bill for the current year, appropriating the sum of one hundred thousand dollars to enable the President of the United States to procure the surrender of the patent issued to Dr. William T. G. Morton, for his discovery of the anæsthetic properties of sulphuric ether."

The subject being then taken under consideration by the Committee on Naval Affairs, the following resolution was adopted by that Committee:

"*Resolution of the Naval Committee.*

"*Resolved by the Senate Committee on Naval Affairs*, That the said Committee fully concur with the Committee on Military Affairs in reporting an amendment to the army appropriation bill, appro. priating one hundred thousand dollars, to enable the President to procure the surrender of the patent issued to Dr. William T-G. Morton, for his discovery of the anæsthetic properties of sulphuric ether."

In pursuance of the above resolutions, Hon. S. Borland, M. D., Senator from Arkansas, and a member of the Committee on Military Affairs, when the army appropriation bill was under consid-

eration, on the 28th day of August, 1852, moved the following amendment to it:

"*Amendment to the Army Appropriation Bill.*

"To enable the President of the United States, to procure the surrender of the patent issued to William T. G. Morton, on the 12th day of November, 1846, for his discovery of the anæsthetic properties of sulphuric ether, *one hundred thousand dollars.*"

Senator Borland's argument was effective and conclusive, giving (as a member of the medical profession) his opinion of the value of the discovery; (as a citizen) his opinion of Dr. Morton as the discoverer; and (as a Senator) his conviction that Dr. Morton should receive a national reward. "I will not," he said, in conclusion, "detain the Senate by saying more on the subject. I will briefly sum up. This discovery is a most valuable one to the human family at large. The two branches of our public service, the army and navy, have availed themselves extensively of it. It is one of the most valuable remedial agents that the world has ever known. It is in constant and growing use. This idea which we are thus using, not only prolongs human life, and protects our soldiers and our sailors, and all in our public service from immense suffering, but it is saving, in that mode of treating diseases, thousands upon thousands of dollars every year and every month. This individual cannot enforce his legal rights against anybody, owing to the very nature of the case. We are making use of his property to our great benefit, and he is receiving no compensation whatever for it. Then the papers before me, as I have read them, show that he is the individual who is entitled to compensation, if any one, for the use of this property. We find that the practice of the Government—a very enlightened and useful practice, in my opinion—has been in favor of appropriations of this sort. Then, sir, I ask if this is not a proper occasion for the continuance of this practice? When was there ever before us a more meritorious case? The medical profession throughout the country sustain me in the assertion that this is the most valuable remedial agent that ever has been known. How can we, then, in justice to ourselves, in common justice to

the individual who has furnished us this valuable, or rather invaluable remedy, refuse to pay him for it?"

Senator Smith, of Connecticut, took a position as unexpected as it was violent in reply. It afterward appeared (from remarks made by Senator Badger, of North Carolina), that the gentleman from Connecticut was the attorney of the heirs of Dr. Wells, and he used language in his "plea" that would not have been tolerated in the court of many a country justice, so outrageous was its tone.

"I have got," he stated, "at my quarters, a petition from the widow of Dr. Horace Wells, of Hartford, Connecticut, which has been transmitted to me within the last few months, and which is addressed to the Senate of the United States. I have been requested to lay it before the Senate, and present the claims of Dr. Horace Wells, deceased, as being the actual discoverer of the anæsthetic effects of sulphuric ether. Why have I not presented it to the Senate? Because it was so late in the session that I did not suppose the subject could be investigated. I did not dream that there was any inquiry going on in regard to it before any of the standing committees of this body.

"I assert here now, that in the city of Hartford, all the physicians and surgeons living there, all the eminent members of the legal profession—the whole community in fact—believe that Dr. Horace Wells, deceased, was the real discoverer of this important effect of sulphuric ether, or nitrous oxide gas, or whatever may be used to produce this effect. I have the most abundant testimony to prove this. I have in my possession sworn depositions; I have certificates of physicians; I have a vast mass of testimony which I can bring before the Senate on this subject. Yet, sir, here has been an *exparte* hearing without the knowledge of parties interested, and before a committee of the Senate without the subject ever having been referred to them. And now, without the knowledge of Mrs. Wells, without the knowledge of any of her friends, and without any opportunity for her to be heard, it is proposed to take a snap judgment and an *exparte* judgment upon her.

"I denounce this attempt to filch money from the Treasury,

as an outrage upon the rights of others, and a most abominable imposition on this Government. I believe, that this Morton is a rank impostor—that there is no justice or truth in his pretended claim. I demand in the name of justice and right, to have an opportunity to come before the Senate, and tell the story of the wrongs of the poor widow and defenceless children of Dr. Horace Wells; wrongs which they have suffered at the hands of this man, Morton, who has attempted to rob their husband and father who has descended to the grave, of a discovery, which is one of the most extraordinary made in modern times. Sir, there is that family in destitute circumstances; and I assert, that the real discoverer is now in his grave. Will the Senate act upon this matter in this *exparte* manner? Will they proceed to render judgment against the widow and the orphans, without hearing what they have to say for themselves? I shall ask for an opportunity to be heard in defense of them."

The singular ground was taken by Mr. Smith against the claim of Dr. Morton, that he had never undertaken legally to enforce his rights owing to enfringements of his patent, and that if there was any justice in his demand for indemnity, he should procure his compensation by damages from the parties infringing. "This individual," he said, "never sold a patent right, and never pretended to sell a patent right; and I repeat again, that the mere idea of ascertaining the effect of an old and known article is the subject of contempt and ridicule all over the northern country. Why does not this patentee assert his rights? If he has got any rights under his patent, why does he not sue somebody for their violation? He has never instituted a suit. He has never pretended to enforce the patent in any shape or form. The physicians, surgeons, and dentists, all over this continent and all over Europe, are using sulphuric ether as an anæsthetic agent, and he has never demanded a penny from them. He knows well enough, that he could not recover a penny of damages, if he were to sue them for a violation of his patent rights; I do not care who makes any assertion to the contrary. In my own State, in every State of this Union, it has been administered. I have seen it administered to patients in

this city. Why does he not institute a suit against some body?"

Here the information was given by Mr. Jones of Iowa, that "the United States cannot be sued," when Mr. Smith continued: "I know the United States cannot be sued; but can a surgeon in the army of the United States use a patented article with impunity? If this individual has a right to the exclusive use, under his patent, why does he not get Mr. Webster, or somebody else, to sue some surgeon for using the article thus patented?"

Was there ever a better illustration of the old adage "between two stools one falls to the ground?" One of the strongest grounds of complaint which had been and still is urged by a certain class in the community against Dr. Morton, arose from a patent ever having been taken out. So loud had these murmurs been, that no attempts had ever been made to enforce it, indeed all hope of ever doing so had been renounced by its gratuitous bestowal by Dr. Morton to all private individuals who might choose to employ it. And yet here at this late date, nearly six years after the gift, and when its constant employment had rendered all attempts at restitution perfectly powerless, the plea was raised that because he had never seen fit to take legal remedies, and in compliance with general sentiment had been induced to make this generous gift, he was precluded from expecting or receiving any reward. Verily the distance is short from the *frying-pan* into the *fire*.*

In order to prevent any action during this session, and to procure a postponement which for his cause was the next best thing to an entire defeat of the amendment, Mr. Smith concluded by offering to substitute another amendment, the exact equivalent to dismissing the whole subject. "I will," he said, "save the Senate all trouble on this subject. I will offer an amendment having for its object the organization of a disinterested tribunal to decide this question. I move to amend the amendment by making it read as follows:

Be it enacted, &c., That the sum of $100,000 be appropriated as a national reward for the discovery of the anæsthetic proper-

* "Incidit in Scyllam cupiens vitare Charybdim."

ties and effects of sulphuric ether and its application in surgical and medical practice; and that the President of the United States be authorized to appoint three distinguished scientific men as commissioners, who shall examine the claim which may be set up by any person or persons to the discovery of the anæsthetic effects of sulphuric ether, and its application in surgical and medical practice, and that the said commissioners shall award the sum hereby appropriated, after deducting the expenses of their commission, to such person or persons, or the heirs of such person or persons, as they shall determine to be entitled to the credit of said discovery and application, in such proportion as they shall judge to be due to the merits of the parties who have made said discovery and application."*

Finding, however, that in case the amendment then proposed did not pass, no proposition would be more compatible with the wishes of Dr. Morton, than just such a substitution, and that so far from wishing to shun investigation, judicial or otherwise, he rather courted it, Mr. Smith withdrew his amendment, and adopted the tactics with which he had commenced, by discrediting the statements of Dr. Morton, and leaving it for the Senate to suppose that there were great doubts as to who was really the discoverer, knowing that by thus observing the case he would be more sure of securing the postponement.

Senator Shields, of Illinois, said: "It has been stated that this is one of the greatest discoveries of modern times. I believe it is. Of that, however, I only know this—that if this remedial

* The accompanying extract from another portion of the speech of Mr. Smith, shows the chemical attainments of the honorable gentleman, and his competency to judge on scientific questions: "I desire to know what Dr. Morton pretends to have discovered? Has he discovered sulphuric ether? Nobody pretends that he has. Has he discovered that sulphuric ether can be taken into the lungs with impunity? Why, when I was a boy in college, I saw it administered over and over again. I believe we used to denominate it 'laughing gas,' and we were greatly amused with the antics which would be performed by young gentlemen when they had taken it into their lungs." This singular statement might have passed as plausible, had not General Shields at once risen and made a flat contradiction and correction.

agent had been known when the honorable Senator from Connecticut says he understood it was, it was unpardonable that its use was not applied to the American army in the late war with Mexico. It was criminal that it was not applied, if it was known, and it was wicked in that gentleman to withhold his information from the country on such an occasion as that; for, sir, I believe it would have saved thousands and thousands of lives.

"Any man," continued Gen. Shields, "who witnessed the scenes which some of us were there called upon to witness, well knows that such an agent would have saved thousands of lives. Sir, thousands of our bravest and best men fell under the pains and afflictions that followed surgical operations. I have seen so much of that, that I was rejoiced to have an opportunity, when I found there was such an agent discovered, to give it my support in any way; and although I was not acquainted with the subject, I was happy to have it in my power to turn it over to the honorable Senator from Arkansas, who was acquainted with it. I venture to say that there is not a professional man in America, or in Europe, who will not consider this the most beneficial discovery since the discovery of vaccination.

"I cannot tell whether Dr. Morton is the discoverer or not; I know that those who have examined the subject thoroughly say that he is the discoverer. I have seen in addition, for he has shown it to me, the medal of one of the first medical institutions in the world—that of Paris—acknowledging, and in the name of France, pronouncing him the discoverer of this agent, and that he had been able—for it was a good fortune on his part—to make a discovery which has been more beneficial to humanity, than any discovery made in the medical profession since the time of vaccination."

Senator Hale, of New-Hampshire, said: "I am not one of those who object to the proposition on account of the amount of money. If this discovery really belongs to Dr. Morton, it is no more than right that we should pay for it; because, whatever may be the value of the patent-right, it is such a discovery that he cannot enforce his patent-right. It seems to me that the government of the United States, having granted a patent by

their own officers, are estopped from denying its validity; and as the government are making use of it in the army and navy so extensively, it seems to me but fair to compensate this gentleman.

"I have been through the Massachusetts General Hospital, where this remedial agent was first introduced, and where it was tested. I went through all the wards and rooms of that hospital, and I saw every form of disease and suffering. I went into the dissecting room, and I confess my blood almost ran cold as I looked at the instruments of torture, as they appeared to me, which were about the room; but I was assured by the physicians attending upon that hospital, that, by the use of this remedial agent, patients were insensible to the operation of these instruments of torture—that the effect of it was to make them go quietly to sleep; and that the most difficult and dangerous operations were performed there every day, without those on whom they were performed being sensible of them. That great hospital is one of the finest charities on the face of the earth, and by the operation of this agent the most revolting surgical operations are performed every day, while the patients are, as it were, in a deep sleep.

"I do not believe there has been a greater contribution made to the cause of humanity anywhere. I do not put this discovery second to vaccination, or anything else; and if the Senate are determined to vote upon it to-day, I hope they will make this appropriation; and with my present convictions, although I should be glad to postpone the subject until the next session, in order to avoid all danger of injustice, I must vote for this appropriation."

Senator Douglass, of Illinois, after exhibiting evidence which put a complete extinguisher on the case of the "clients" of Senator Smith, and produced an ebullition of anger from that gentleman, went on to say: "I shall not enter into this controversy, or allow my feelings to be excited at all. I thought it my duty to call the attention of the Senate to that testimony, because I saw that an impression was about to be produced on the minds of the Senate which seemed to be contradicted by the testimony in the case. I know nothing of Dr. Morton. I believe I have

seen him once or twice this winter, and that is all I know of him. I confess that before I examined the matter, my prejudices were against his claim, until my colleague in the other House (Mr. Bissell), who is a regularly-educated physician, a man of great intelligence, and has had practice as a physician, took it up, and as chairman of that select committee gave it a thorough investigation. This report produced entire conviction upon my mind that Dr. Morton was entitled to the credit of this discovery.

"I do not mean, nor does that report mean, that he discovered sulphuric ether, or that he was the first man that ever administered sulphuric ether, but simply that he discovered the application of sulphuric ether with reference to destroying pain in surgical operations, and that he discovered it to a degree and extent in which it had not before been administered, and in which it was supposed was not safe to administer it. He risked his own life by experiments upon his own person; and then he administered it to other persons, and ran the risk of a prosecution for malpractice in the event that it should fail. I became satisfied from the testimony that he alone made the experiments, and he alone introduced it to the public; that he introduced it first into the General Hospital of Massachusetts, and from there to the world; that he took the entire, sole, and exclusive responsibility of the use and introduction of this agent, until its entire success had been established.

"I also find from the report, that while these experiments were going on—while it was doubtful whether they would prove successful—Dr. Jackson was ridiculing and denouncing Dr. Morton as a reckless man, who was hazarding the life of his patients by administering this agent to them; and that he never set up his claim, though experiments were being made in the immediate vicinity of his own house, until after those experiments had proven successful, and the judgment of the world was about to be pronounced in favor of Dr. Morton, and of this invention that had been made by him.

"I find this in the report of the committee of the House of Representatives, and I understand that both parties were repre-

sented before that committee. Taking, then, the report of that committee, before whom both parties were represented in person, and by their counsel, where testimony was adduced, and taking that report in connection with the judgment of the General Hospital of Massachusetts, where the first experiments were made, and taking all the testimony together, I cannot doubt that the credit is solely due to Dr. Morton."

Senator Walker, of Iowa, after going into a detailed investigation of all efforts made, from the days of Hippocrates down, to obtain anæsthetic agents, showed that Dr. Morton had discovered it, and was entitled to awards in his favor, from high sources. "Again," said he, in conclusion, "as another testimonial, I may state that the subject was brought up in the thirtieth Congress, before a select committee of the House of Representatives, and with all the testimony before them, they decided that Dr. Morton was the discoverer. Here, again, in this Congress, after another review of all the testimony, Dr. Morton appearing before them in person, and Dr. Jackson both in person and by counsel, a select committee of the House of Representatives decided Dr Morton to be the discoverer.

"All that there is now to answer against his claim, is the remonstrance to which the Senator from Maine has alluded; and what is that remonstrance? It is a remonstance said to be signed by one hundred and forty-four physicians. The register of physicians of Massachusetts shows that there are about fifteen hundred in that State. Not one of these remonstrators was in the General Hospital of Massachusetts at the time this discovery was brought out; but on the contrary, a great many of them are dentists, who are personal enemies and personal rivals of Dr. Morton, and they are to this day his personal rivals. At the time he was risking his life to bring out this discovery, they were denouncing him, and endeavoring to put him down. They were getting up prosecutions against him, to drive him, if possible, from respectable society. Yet these are the men who come forward and remonstrate! But, is it true, as the remonstrance states, that it is from "Boston and its vicinity"? I have here the State record of Masschusetts, and I find that the names on

that remonstrance are scattered all over the State. There are three hundred medical men in Boston alone, and here are one hundred and forty-four remonstrants from the whole State of Massachusetts, and these are Dr. Morton's rivals—men who had first given him notes, and then refused to pay them, and became his enemies, and tried to make out that he had made no discovery! The remonstrance is dated February last, and they have been ransacking the State of Massachusetts from that time to this, to get up remonstrators against Dr. Morton, and they have succeeded in getting one hundred and forty-four out fifteen hundred in that State.

"We have two reports of the hospital of Massachusetts; we have the prize awarded by the Academy of Arts and Sciences of Paris; we have the award of a casket and $1,000, by the trustees of the Massachusetts hospital; we have the reports of two select committees of the House of Representatives; we have the concurrent voice of two committees—the Committee on Military Affairs and the Committee on Naval Affairs—of this body; and there is nothing to answer it but this simple remonstrance of which we have heard to-day."

The debate was protracted by the factious opposition of Senator Smith, who was pointedly rebuked for his conduct by Senator Weller, of California, and by Senator Badger, of North Carolina. "I know not, Mr. President," said he, "what private griefs the honorable Senator from Connecticut [Mr. Smith] has; but, certainly something or other seems to have stimulated him into a very undue excitement on this occasion, one not usual upon questions of this kind and one which certainly that Senator is not in the habit of exhibiting in the Senate. The honorable Senator demands an opportunity of making out a case—for whom? For clients of his. Does he demand that we shall postpone this inquiry, in order that we may have another investigation at the next session? If so, that is one strong reason with me why we should promptly decide it now. I do not want to occupy two months out of three of the ensuing session with the investigation of these contradictory claims, which the honorable Senator desires to set up on this subject.

"I do not undertake to decide on this question, from information which I have derived from Dr. Morton. I never had any conversation with him upon the subject of invention; I refused to have any conversation with him. I have refused to read anything which he has written upon the subject, but I rely upon information which I have received from impartial sources, and the unanimous report of the Committee on Military Affairs. Upon that I am willing to vote. We are taking no snap judgment upon any person—the clients of the Senator from Connecticut, or otherwise. We merely propose to purchase for the use of the public service, what we think is a valuable, or rather, I should say, an invaluable remedial agent."

Senator Mallory, of Florida, closed the debate. "I am pleased," said he, "to have this opportunity to manifest, by a vote upon this proposition, my appreciation of the importance of the subject to which it refers; and, sir, if no voice in its behalf had been hitherto raised—if no advocate had ever before appeared to press the claims of him whose successful devotion, whose self-sacrificing labors, have secured for him throughout the earth this heaven-born gift—I would have considered it one of the high privileges of the place I occupy, to stand forth in that attitude. But, sir, such fortunately is not its position; for the earnest appeals of men, women, and children, the united and consistent testimony of the learned and the unlettered throughout this broad land, have raised up for it here unwavering friends.

"This amendment, Mr. President, proposes to pay to the discoverer of the anæsthetic properties of sulphuric ether inhaled, and of their extraordinary advantages to medicine and surgery, $100,000, upon the condition that he shall relinquish it to the free enjoyment of mankind, and abandon all the rights of a discoverer and patentee. If the question be asked, what is the character of the service rendered, what is the utility of the discovery? The response comes from thousands of our own fellow-citizens, in every walk of life, whom gratitude has made eloquent. It comes from the lowly couch of the poorhouse patient, and from the aristocratic mansion of the millionaire; from feeble woman in the agonies entailed upon her first disobedience, and

from the stern, strong man writhing in pain. It comes from your battlefields, from your military, naval, and civil hospitals, from your gallant soldiers and sailors tortured by wounds and amputations. It comes to you from the practitioner in every department of medicine, and with our consent the surgeons of the Old and New World hail it as the great discovery of the age.

"Its claims have been examined by select committees of Congress, aided by able counsel, with an industry and accuracy equally honorable to them and to the subject. The trustees of the Massachusetts General Hospital presented the discoverer with $1,000 and an appropriate letter. The chiefs of our own Departments, our Surgeon-General, and the head of our Naval Bureau of Medicine and Surgery, give it their unqualified approval; and the Academy of Sciences of Paris, after a thorough investigation of its character, conferred upon its discoverer the 'Montyon golden medal' as an extraordinary mark of its approbation.

"Such are a few of the thousand evidences of the various characters from Europe and America in its favor. And well, sir, does it merit this praise. Hitherto the surgeon's skill, though advancing with gigantic strides, has been circumscribed and controlled by the power of endurance of his patient; and many operations which comparative anatomy justifies and demands for the salvation of life, have been rendered impracticable by their tortures upon an enfeebled or disorganized frame, or by their violent shock to the whole nervous system; and thousands have annually perished whom this discovery might have saved. Men of undoubted courage, wounded at last, after facing death in many forms, shrunk with undefined terror from the prospect which the cold-blooded torture of the surgeon's knife, holds before their eyes; and timid women, sinking beneath disease, not unfrequently prefers the pains of death to the untold horrors of the operator's table. But all this is now passed. The knife has lost its terrors, the tourniquet and saw are regarded without a shudder, and the appearance of the surgeon by the pallet of the untimely sufferer is hailed with joy, for he not only banishes

pain, but substitutes for an anguished frame the happy dreams of a joyous spirit.

"If I felt justified, Mr. President, in view of the pressing legislation yet before us, I would embrace this occasion to give the conclusive testimony of the principal practitioners of Europe and America in its behalf; but I do not feel authorized to consume a moment beyond a mere reference to them."

He then read a few brief extracts from Doctors Warren and Holmes, already given in this work, and then concluded:

"And now, Mr. President, if it be difficult to establish a standard by which merit generally is to be rewarded, how utterly impossible must it be to determine its proper bounds in a case like the present, in which an humble individual is the donor, and the whole human family the recipient. His most enduring and valuable reward will be in the undying gratitude of a posterity whose lot is suffering and pain, and a supreme happiness flowing from gratitude to God for being made the medium of such a boon to his creatures. But, sir, let us fulfill *our* duty. *We* cannot PAY Dr. Morton. His services are beyond price; but we can place his future life beyond the reach of poverty, and in this manner do justice to ourselves; for, Mr. President, to the living searchers after Truth, as well as to those children of genius who are yet to struggle in her paths, and in the eyes of all honorable men, the course of the American Senate upon this question will be a beacon of warning or of hope.

"I believe not the wornout apothegm, that republics are ungrateful. Ingratitude is the crime of men, not of political organization—and the sons of Adam possess in common the same virtues and vices. But yet, sir, there is much upon history's page to justify the proposition, even within our own short political existence. The graves of our revolutionary sages are unknown to their free and happy descendants. No Old Mortality renews their fleeting letters; and the monument of its father and hero struggles lingeringly upward, stone by stone, in spite of their seeming indifference.

"Fulton's merits were disregarded, and he was suffered to die owing more dollars than would have covered him in his grave.

In pleasing contrast to this, sir, is the grant of the British Parliament of $150,000 to Dr. Jenner for his discovery of vaccination; and its liberal reward of discoverers in various walks of science. I am persuaded that the objection based upon a constitutional prohibition, made by the honorable Senator from New York, is not seriously urged; and certainly, upon one of the alternatives suggested by him, we can reward this applicant. I never saw him till within a day or two, and I know personally nothing of him, but entertain no doubt of the justice of his claim, and hope the amendment will pass."

Irresistible as these arguments appear, the desire for a more prolonged and extended consideration of the subject prevailed. This was in great measure occasioned by a statement made by the Hon. Mr. Hale, who rose, just before the close of the discussion, and said:

"I desire to state a fact which has come to my knowledge since this discussion commenced. I do not know whether it will have any influence upon the votes of Senators to-night; but there is a gentleman in this chamber now who has informed me, and he is ready to pledge his honor and reputation to it, that neither Dr. Morton, nor Dr. Jackson, nor Dr. Wells, has anything to do with the original discovery of this principle; that it was discovered and applied to practice in the city of New York by a young physician who is now in his grave; that if there is any merit belonging to it at all, it belongs to him, and if there is any meritorious reward due to anybody, it is to his orphan sister. The gentleman is ready to pledge his honor and reputation that if the subject is postponed until December, he can by irrefutable proof establish that fact to the satisfaction of any tribunal to which it may be submitted. Upon this I express no opinion, but as the statement was made by a gentleman of reputation, I thought it my duty to communicate it to the Senate before the vote is taken."

As this claim has never been presented, nor anything heard of the individual since, and as no one has been found who had ever heard of the "young physician," it is to be presumed that this was simply an "invention of the enemy," and that some friend

of the other two claimants imposed upon Mr. Hale. Whatever it was, it produced its effect, for it created a feeling in many present that there might be others to come forward and claim, and a desire for more deliberate action.

The personal influence of the Senator from Connecticut was no less powerful in procuring a postponement. Professing to plead in behalf of the widow and orphan, he occupied an excellent position for display of affecting eloquence, and consequent effect upon the minds of his hearers; and when he closed by saying: "I pledge whatever reputation I may have, that if the Senate will allow me, at the next session of Congress, an opportunity to be heard on this subject, I will make out a case for the family of Dr. Horace Wells, deceased. If the subject shall then be referred to the judgment of a committee of this body, I will be prepared to make out a case worthy the most grave and serious consideration."

No reasonable grounds could be urged for opposing the appeal. On taking the yeas and nays, seventeen Senators voted in favor of the amendment; twenty-eight against it; fifteen either did not vote or were absent, and among them were some who had advocated the bill, and had felt sure that its passage was secured.

Dispirited and crushed by this disappointment, sick in body and mind from the reaction from the intense excitement of the previous nine months, Dr. Morton remained but a few days longer in Washington, and then left for his home. With what a different feeling was the return journey accomplished, as compared with the elated, sanguine spirits when he had before passed over the same road. How many events had transpired in this time, comparatively so short, and yet so interminably long when the mind is kept in agonizing suspense. How fair had the field opened to him. How great had been his first success. To what a pinnacle of hope had expectation raised him. And then as a sequel, how great and sudden had been the fall. Few could bear it with equanimity. This he did as well if not better than others of his temperament. But though not entirely broken in spirits and hopes for the ultimate result, the case was physically more adverse. A severe attack of illness followed, which nearly put

an end to any further action on his part, by cutting his thread of existence. For thirty days it required every care and attention from friends and physicians before his recovery was assured, and he was again in a position to hope for that strength and health so necessary to pursue the object for which he still is working.

CHAPTER XIX.

THIRD APPLICATION TO CONGRESS—CONTINUED.

"Stick to your aim; the mongrel's hold will slip,
But only crowbars loose the bulldog's grip;
Small as he looks, the jaw that never yields,
Drags down the bellowing monarch of the fields."
—*O. W. Holmes.*

THE position of Dr. Morton at this period of his life would have been regarded by most men similarly situated as a hopeless one, so far as a national recognition of his merit as a discoverer was concerned. He had successfully combated professional jealousy—he had lived down personal malice—he had received the endorsement of those competent to decide the question of the discovery of anæsthesia. Yet, when his country was about to crown his labors, one of the national Senators, in his seat, had interposed a veto—disregarding the eloquent appeals of his colleagues in the upper house of Congress, he had placed his individual reputation at stake against Dr. Morton's credit to the discovery. Most men, we repeat, would have abandoned the case in despair, not thinking it possible to contest it with a national Senator who sought to "make a case for a client." But Dr. Morton supported himself gallantly at this dark moment. Despair might have flitted with dark wings across his mind, and urged him to forsake this unprofitable appeal to the gratitude of his countrymen—but a sense of RIGHT seized his spirit, asserted his duty to himself and his family, and inspired him for fresh contests, for decisive victory!

Mr. Smith's unexpected course in the Senate had forced Dr. Morton to relinquish, for the present, a visit to Europe, which he had intended, and set himself to work to overthrow this new obstacle to his just rights. The claim in behalf of the heirs of

Dr. Wells had received a prominent support from the citizens of Hartford, who were, doubtless, stimulated by a local pride to secure the honor of their discovery for their city, and many of them had signed a petition in his behalf. The Legislature of Connecticut had passed a vote tacitly awarding to him the merit of the discovery. The Common Council of the city had done the same. Several physicians had sent affidavits and communications which required examination, and interfered with the statements of Morton. The sympathy of the community was becoming warmly interested by the touching appeals of the widow for aid for herself and her fatherless children. And lastly, the Governor in his message had recommended that Dr. Wells be recognized and rewarded as the discoverer of Etherization.

From these facts, Dr. Morton, conscious of his position, determined to "carry the war into Africa."

He accordingly, by advice of Mr. Choate, went on to Hartford, employed the Hon. Horace Cornwall and Mr. Perkins as counsel, and commenced taking testimony *himself*, before Erastus Smith, Esq., a United States commissioner. At the same time he had notices legally served upon Mrs. Elizabeth W. Wells and upon Mr. Truman Smith, her counsel, notifying them to be present at the taking of testimony, and to put interrogatories if they thought fit. Mr. Smith immediately came to Hartford and superintended the cross-examinations, which were made by H. K. W. Welch, as counsel for Mrs. Dr. Wells.

Most of the witnesses required to be summoned, as but a few responded readily to the call without this form. Those only were troubled who had made affidavits on behalf of Dr. Wells, and which had been published in early pamphlets. It was found that some of these persons had since died, while others had removed to distant parts of the country, making it impossible to obtain their testimony. In addition, to increase his perplexity, many of the witnesses were informed by the lawyer on the opposite side, that they were not bound to appear before the commissioner and testify, and thus Dr. Morton was deprived of valuable testimony, showing the groundlessness of Dr. Wells' pretensions, while others were induced to make depositions secretly before a

magistrate, locked up in a room, to which the counsel of Dr. Morton was refused admittance.

Yet, in the face of this legal chicanery, this local feeling, this sympathy, Dr. Morton obtained a mass of testimony which took all the foundation from the legal edifice erected by Mr. Smith—a mass of testimony was secured which is on record as a Congressional document, and which has never been contradicted or denied.

But it was not in Hartford alone that Dr. Morton busied himself in taking testimony. About the same time another commission was opened, at his instigation, at Boston, under the statutes of the commonwealth of Massachusetts, in order to sift the testimony of his other rival, Dr. Jackson, before which Dr. Morton, assisted by R. H. Dana, jr., Esq., proceeded to cite and examine such witnesses, *in perpetuam rei memoriam*, as were conversant with the discovery. He thus obtained the evidence of Drs. John C. Warren, Henry J. Bigelow, S. D. Townsend, J. Mason Warren, A. L. Peirson, A. A. Gould, and other gentlemen, which made his position as the discoverer of anæsthesia impregnable—having the testimony taken in the presence of Dr. Jackson's counsel, and with ample opportunity to him to detect error, or to expose misstatements.

This double duty, with its varying and shifting perplexities, caused by the professional attempts of opposing counsel to throw embarrassments in this search of Dr. Morton after truth, must have been arduous in the extreme. But, as has been shown throughout this work, Dr. Morton never takes heed of toil, mental anxiety, or expense, when the question of anæsthesia is involved. Probably no other man living would thus have gone into the enemy's camp, and proved, by the unerring standard of judicial testimony, that the weapons there were worthless. "This has been my course," said he, on submitting his convincing testimony to Congress, "open, bold, courting investigation, defying controversy."

But this testimony, the fruits of the commissions at Hartford and Boston, was not all that Dr. Morton had to carry back to Washington in support of his claim. The speech of Senator

Walker (quoted in the last chapter) showed that a remonstrance against his claim had been presented to Congress, signed by a small fraction of the physicians of Massachusetts. "Not one of these remonstrators was in the General Hospital of Massachusetts at the time this discovery was brought out; but, on the contrary, a great many of them were dentists, who were personal enemies and personal rivals of Dr. Morton."

To quote from a paper laid before Congress—"This failure to get only one hundred and forty-four names from fifteen hundred, after the contestant had canvassed the State for months, only confirmed what was always conceded as a fixed fact, that the great body of medical men are in favor of Dr. Morton."

To rebut this "remonstrance," and to triumphantly sustain his claims, Dr. Morton received the following "memorial" and "petition" to Congress. Never before, we venture to assert, did such a brilliant galaxy of medical and surgical talent unite on any one measure:

MEMORIAL.

To the honorable the Senate and House of Representatives of the United States in Congress assembled:

The undersigned hereby testify to your honorable body, that, in their opinion, Dr. William T. G. Morton, first proved to the world that ether would produce insensibility to the pain of surgical operations, and that it could be used with safety. In their opinion, his fellow-men owe a debt to him for this knowledge. Wherefore, they respectfully ask a recognition by Congress of his services to his country and mankind.

JOHN C. WARREN, M. D., *Senior Surgeon Massachusetts General Hospital, and late President American Medical Society, and Emeritus Professor of Anatomy of Harvard University.*

GEORGE HAYWARD, M. D., *President Massachusetts Medical Society, and Surgeon Massachusetts General Hospital.*

S. D. TOWNSEND, M. D., *Surgeon Mass. Gen. Hospital.*

J. MASON WARREN, M. D., " " " "

S. PARKMAN, M. D., " " " "

HENRY J. BIGELOW, M. D., *Surgeon Massachusetts General Hospital, and Professor of Surgery Harvard University.*

HENRY S. CLARK, M. D., *Surgeon Massachusetts General Hospital, and City Physician.*

JACOB BIGELOW, M. D., *Professor Materia Medica, Harvard University, and President of the American Academy of Arts and Sciences, and Physician to Massachusetts General Hospital.*
OLIVER W. HOLMES, M. D., *Professor of Anatomy, Harvard University.*
HENRY I. BOWDITCH, M. D., *Physician to Mass. Gen. Hospital.*
D. HUMPHREY STORER, M. D., " " " "
M. S. PERRY, M. D., " " " "
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EDWARD REYNOLDS, M. D., } *Consulting Physicians and Surgeons Mass. General Hospital.*
WALTER CHANNING, M. D., *Professor of Midwifery, Harvard University.*
JOHN WARE, M. D., *Professor Theory and Practice, Harvard University.*
JOHN HOMANS, M. D., *President Suffolk District Medical Society.*
WM. J. DALE, M. D., *one of the Trustees Massachusetts General Hospital.*
JOHN L. FOX, M. D., *Surgeon Naval Hospital, Chelsea.*
WM. INGALLS, *Physician and Surgeon, U. S. Marine Hospital, Chelsea, Mass.*
S. L. ABBOTT, M. D., *Admitting Physician, Massachusetts General Hospital.*
HENRY W. WILLIAMS, M. D., *Secretary Suffolk District Medical Society.*
M. H. CHILDS, *President Berkshire Medical College.*
R. W. HOOPER,
GEORGE A. BETHUNE,
EDWARD REYNOLDS. } *Massachusetts Charitable Eye and Ear Infirmary.*

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Newburyport, Mass.—E. Cross, S. M. Gale.

Lynn, Mass.—A. S. Adams, J. T. Galloupe, Danl. Perley, James M. Nye, John Renton, Nathaniel Ruggles, D. E. Johnson, E. Porter Eastman, Chas. M. Weeks, Edw. Newhall.

Worcester, Mass.—Henry Clark, Saml. Flagg, Geo. A. Bates, Chas. W. Whitcomb, Joseph Sargent, Oramel Martin, William Workman, Rufus Woodward, Henry Sargent, A. Goulet, P. B. Mignoult, Benj. Heywood, John E. Hathaway.

Springfield, Mass.—Jas. M. Smith, Edwin Seeger, N. Adams, A. S. McClean, Alfred Lambert, C. C. Chaffee, H. A. Hamilton, Henry B. B. Vaille, D. C. Perkins.

Pittsfield, Mass.—H. H. Childs, President of Birkhead Med. Institution, N. S. Barnes, O. S. Root, Frank A. Cady, O. E. Brewster, Nath'l Foote, Avery Williams, A. N. Allen, L. F. Humeston, Willard Clough, M. D., Clark F. Hall, M. D., N. J. Wilson.

Taunton.—Alfred Bayliss, H. B. Hubbard, Horace Bowen, Ebenezer Dawes, William Dickinson, Dan. King, Geo. Leonard.

New-Bedford.—T. S. Mayhew, Johnson Clark, Jno. H. Jennings, Wm. A. Gordon, Elijah Colby, C. D. Stickney, John Howell Mackie, Paul Spooner.

Fall River.—James W. Hartley, P. A. Smyth, Jerome Dwelly, Foster Hooper, E. T. Learned.

Lowell.—John O. Green, Henry Whiting, J. P. Jewett, J. D. Pillsbury, Elisha Huntington, John W. Graves, Benjamin Skelton, H. Pillsbury, P. P. Campbell, L. B. Morse, Charles A. Davis, Ployer G. Kittredge, Chas. A. Savory, Joel Spalding, David Wells, Daniel Holt, Daniel Mowe, J. W. Scribner.

Lawrence.—Geo. W. Sanborn, Wm. D. Lamb, David Dana, J. H. Morse.

South Andover.—James Howarth, W. H. Kimball.

Fitchburg.—Thos. R. Boutelle, Levi Pillsbury, T. W. Wadsworth, W. M. Barrett, Henry M. Linrab.

Plymouth.—Jas. L. Hunt, Winslow Warren, Benjamin Hubbard, Timothy Gordon.

Dedham.—Jeremy Stimson, D. P. Wight, H. F. Spear.

Hingham.—Ezra Stevenson, Robt. T. P. Fiske.

Quincy.—Ebenezer Woodward, William G. Pattee, W. Goddard.

Danvers.—Andrew Nichols, Joseph Osgood, David A. Grosvenor, George Osgood.

Marblehead.—James C. Briggs, Chandler Flagg, Daniel Gill.

Beverly.—W. C. Boyden, Charles Haddock, Ingalls Kittredge.

Gloucester.—Isaac P. Smith, C. H. Hildreth, George W. Smith.

Rockport.—Benjamin Haskell, Lemuel Gott, Osgar D. Abbott.

Newton.—Henry Bigelow, Cyrus R. Bartlett.

Framingham.—Simon Whitney, Allston W. Whitney.

Milford.—Francis Gilaland, Theodore C. Cornish.

PETITION

OF THE TRUSTEES OF THE MASSACHUSETTS GENERAL HOSPITAL.

To the honorable the Senate and House of Representatives in Congress assembled:

The subscribers respectfully represent, that they are members of the Board of Trustees of the Massachusetts General Hospital; that the power of the inhalation of sulphuric ether to produce insensibility to pain during surgical operations, was discovered by experiments instituted in the hospital by Dr. William T. G. Morton, and that in their opinion he is entitled to a liberal national reward for the service thus rendered to the country and to mankind.

N. I. Bowditch, John P. Bigelow, W. S. Bullard, Francis C. Lowell, Thomas Lamb, Amos A. Lawrence, William J. Dale, Ed. Wigglesworth, Charles H. Mills, J. Thos. Stevenson, G. A. Shaw.

Boston, *November* 22, 1851.

The very first petitions presented to the Senate, at the commencement of the second session of the thirty-second Congress, were those in favor of a national recognition of Dr. Morton's claims as the discoverer of anæsthesia. They were offered by the Hon. John Davis, and consisted of these memorials from the Physicians and Surgeons and the Trustees of the Massachusetts General Hospital—the Massachusetts Charitable Eye and Ear Infirmary—and members of the Massachusetts Medical Society. They, with the evidence collected by Dr. Morton to sustain them were referred to the committee on Military Affairs.

This rendered it imperatively necessary for Dr. Morton to at once return to Washington. Notwithstanding his still feeble health, which had compelled him to employ a physician during the whole of the interim, and the excessive fatigue which the two commissions, and the constant journeying between Hartford and Boston had occasioned, he felt that this was no period for rest, or considerations of mere personal comfort. Girding on his armor again, and leaving full directions as to the management of the questions in the two cities, he immediately hurried his preparations, and left for the Capitol, to see what the next six

months would bring forth, and what would be the action of his opponents in reply to the presentation of these petitions.

On his arrival at Washington Dr. Morton, to his consternation, learned that in order to bring up his claims during that session (which unfortunately for him was the short one), he needed at once all the evidence which had been obtained by means of the two commissions. The difficulty lay in a law, which required that all depositions should be duly recorded among the Suffolk deeds, and the commissioner very properly declined giving copies of them before being thus recorded. This was a very serious dilemma, for there was every prospect that all this evidence, for the acquisition of which he had been to such an expense and trouble, would be of no value, as there seemed small chance that the commission could close its labors before the close of the session. At the request of Dr. Morton, the chairman of the Congressional committee wrote to the commissioner, stating the importance of receiving the evidence already attained, and soliciting that copies might be taken at Dr. Morton's own expense, and forwarded at once.

This arrangement was happily successful, and a large amount was sent on, but it was late in its arrival, and coming in large quantity at one moment, it required much time and labor for its examination.

Mr. Smith was still a member of the Senate, before which he had pledged himself to "make out a case" for his clients, and the professional advisers of Dr. Jackson were also there. But neither made any manifestation of bringing forward their respective pretensions, and at length Dr. Morton's patience became exhausted. It appeared to him—as he stated officially—that the strategy of his opponents was directed to wearing out his life, and exhausting his means, that they might be "*in at the death.*" This stimulated him to prompt action, that complete and impartial justice should be done him, if Heaven spared his life, and if not, that his wife and children might enjoy the vindication of his name and memory!

Dr. Morton, therefore, after having waited nearly a month, gave proper notice to the counsel for Dr. Jackson, and

Mr. Smith (counsel for the Wells' heirs) to present their evidence, respectively, and have it referred to the committee to which his own documents had been referred.

But Mr. Smith was too old a practitioner to take such a straightforward course. Taking a day (the 3d of January, 1853) when General Cass had announced his intention of speaking on "Liberty of Conscience Abroad," and had attracted crowds of spectators, and Dr. Morton was himself absent, engaged in the perusal of the evidence just sent on, Mr. Smith offered his "Wells' petition," and moved that the subject of anæsthesia be taken from the military committee who had been employed in the investigation nearly a month, and its reference to the Committee on Patents, of which he was a member.

As Dr. Wells had never had any connection with a patent-right in the experiments upon which his claim was based, and as no question of a patent was involved in it, this step appeared singular—the more so, perhaps, because Mr. Smith, in an offensive speech, undertook to say that the Committee on Military Affairs had "prejudged" the question. That committee (which consisted of Messrs. Shields, of Illinois, Clemens, of Alabama, Borland, of Arkansas, Dawson, of Georgia, and Jones, of Tennessee) was naturally somewhat indignant, and a debate ensued on the question of reference. This was probably exactly what Mr. Smith wished, and, as he must have foreseen, General Cass grew restive. His speech had been announced—his audience was dispersing—and he therefore prevailed upon the Senate to lay Mr. Smith's petition upon the table.

The next day, the Senatorial lawyer brought it up again, and changing his motion of the day before, moved its reference to the Committee on Military Affairs. But his remarks of the day previous had made a consideration of the subject, upon which they were said to be "prejudged," extremely unpleasant. "It ought," said the high-minded General Shields, "to be investigated in some other way. We had no hesitation in the world, believing that Dr. Morton was the discoverer—and it is my opinion still, after the investigation I have bestowed upon the subject, that he is the discoverer—in proposing that he should be reward-

ed, for it is one of the most beneficent discoveries ever made." But he now, as did the other members, expressed no wish to investigate the new question forced upon the committee, and therefore requested the Senate to excuse them, and appoint another committee.

This was objected to by several Senators, who did not like to see gentlemen thus driven from the consideration of a subject already referred to them. But the members of the committee were firm. "I," said Governor Jones, of Tennesse, "am a member of the Committee on Military Affairs, and I should regret exceedingly, under the circumstances that surround us, to be required to take charge of the question again. No matter what report we might make, it could not and would not be satisfactory to all the claimants—and it seems to me that, under the circumstances, we would expose ourselves to imputations which no honorable gentleman ought to be willing to bear. It is on that ground that I am opposed to the reference of the memorial to the Committee on Military Affairs. I hope it will be sent to a special committee, and that we may be relieved from a further investigation of it." This, and similar protests made by other gentlemen on the committee, carried the day. A select committee was ordered, to consider the subject of the discovery of anæsthetic agents, and the next day the President of the Senate, *pro tempore*, announced that he appointed Messrs. Walker, Smith, Davis, Butler, and Dixon. Subsequently, Mr. Hamlin was substituted for Mr. Dixon, who was shortly afterward obliged to leave Washington on account of ill health.

The relief experienced by Dr. Morton by this favorable solution of the new trouble was of but short duration; for on the very first meeting of this new committee, which took place on the ensuing day, it was decided by them that there was no time to read the evidence which had been collected and laid before the first committee, and by them handed over to their successors. A second time it seemed as if all that his painful labor had accomplished would prove of no avail. It was all-important that this should be examined by each member, and it was suggested by his friends that the only way this could be done,

would be by getting the whole into print as soon as possible. This Governor Davis and the chairman of the committee strongly urged if he ever expected to get any committee to act upon it. But the great difficulty lay in the great bulk of the testimony, its want of arrangement, and the late period in the session, which would make it highly improbable that it could ever be printed so as to be brought to the notice of this Congress, and a delay or postponement might insure a failure.

On making inquiries about the city as to the possibility of the attempt Dr. Morton found additional obstacles. The want of a large enough force in any printing-office to do it in the required time. That no one had sufficient type to put it all into print at one time, which was necessary in order to admit the annotations and references which would be needed. For upon these he saw at once great stress must be laid, for he was to point out the contradictory statements in the evidence of both his opponents. That the expense would be very great, very probably greater than he could then afford. Lastly, that his whole time, and that of his lawyers would be required in arranging and annotating so as to allow him no leisure for any other affairs, or any emergencies which might arise in his case.

While pondering upon what course to take under the circumstances, Dr. Morton incidently heard a member of the House of Representatives say to a friend in the lobby that Mr. Hamilton's printing establishment with twenty hands was unemployed in consequence of a broken contract of the government.

On inquiry, he found that this had formerly been the government printing-house, and that a large supply of type was on hand. Hastening over with his manuscript, Dr. Morton soon made an arrangement, and by the afternoon, the whole establishment was working day and night in his employ. With such celerity was this done, and the proofreading and corrections made, that on January 21st, Governor Davis presented nearly a thousand pages of printed testimony, and moved its reference to the committee. But this was not done without great expense.

At this time it seems as if a coalition must have taken place between the Jackson and Wells claims, so that united they could

better crush out Morton's, for the Hon. Mr. Smith, the very person who had so strenuously supported the claim of Dr. Wells, presented to the Senate a bundle of "documents in support of the claim of Dr. Charles T. Jackson to be the discoverer of the use of anæsthetic agents in surgical operations." Procrastination was all that was desired.

Alarmed by the near approach of the close of the session, there being only about thirty working days remaining, the committee deciding that it would be impossible for them to examine such a mass of controversial testimony, Dr. Morton determined to propose to submit his claim to the most severe judicial investigation, with a view of defeating the opposition of his opponents; hoping—on that basis—Congress would appropriate what it should determine might be due to the discoverer, whoever he might prove to be. Therefore, he presented each of them with the following *projet* of a bill:

"*An act to reward, by a national testimonial, the discovery of the means of producing insensibility to pain in surgical operations and other cases of suffering.*

"WHEREAS a discovery has been made of the existence of anæsthetic qualities capable of being applied safely and certainly, and with great utility, to produce entire insensibility to pain, and thus enabling surgical and obstetrical operations to be performed safely and without suffering, and of the application thereof; and whereas the Government of the United States has had the benefit thereof in military and naval service, and the free and common use by the public generally; and whereas a judicial inquiry seems to be necessary to ascertain which of the three claimants hereinafter named is justly entitled to be rewarded for the discovery aforesaid, be it therefore enacted, &c., as follows:

"SEC. 1. That the sum of *one hundred thousand dollars* is appropriated in the hands of the Secretary of the Treasury, out of any moneys in the Treasury not otherwise appropriated, as a remuneration for the use of the discovery aforesaid, to be paid by the Secretary of the Treasury to one of the claimants hereinafter mentioned, who shall, by legal and competent evidence in the proceedings hereinafter provided, establish his claim thereto, for and on account of the discovery aforesaid: *Provided*, That if W. T. G. Morton, hereinafter mentioned, shall be declared by final judgment in the proceedings hereinafter mentioned to be entitled to receive the fund hereby granted, he shall, before receiving the same, execute and deliver to the Commissioner of Patents a surrender of the letters-patent granted to him on the twelfth day of November, in the year eighteen hundred and forty-six.

"SEC. 2. That the district attorney for the United States for the district of Massachusetts shall forthwith file in the Circuit Court of the United States for the district of Massachusetts, sitting in equity, in the name and in behalf of the Secretary of the Treasury, a bill of interpleader, therein reciting this act as the substance thereof; the Secretary of the Treasury, as stakeholder of the fund hereby granted, shall be made complainant, and William T. G. Morton, of Boston, in the State of Massachusetts, Charles T. Jackson, of Boston, aforesaid, and the legal representative or representatives of Horace Wells, late of Hartford, in the State of Connecticut, deceased, shall respectively be made respondents; in which suit the said Morton and Jackson and the legal representative or representatives of said Wells shall litigate their respective claims to receive the remuneration hereby granted for and on account of the discovery aforesaid. And the said Circuit Court is hereby authorized to take jurisdiction in the said cause, and determine the question to whom the reward shall be paid, by reference to the principles and analogies in which courts of equity having jurisdiction of patent-rights and other equitable jurisdiction proceed, for which said court is authorized to make all necessary orders therein, and to make a final decree, declaring which of the said claimants is entitled to receive the said reward for and on account of the discovery aforesaid. And for the final decree of the said Circuit Court made in the premises, either of the other respondents may appeal to the Supreme Court of the United States, which appeal shall be taken, entered, prosecuted, and disposed of like other appeals from the Circuit Court in equity cases.

"SEC. 3. If either of the said respondents, after due notice and summons, shall fail to appear and put in an answer to said bill at the time that may be prescribed by the court, the court shall proceed and adjudicate upon the claim or claims of the other respondent or respondents who may have appeared and answered as aforesaid."

This liberal proposition of Dr. Morton to invite judicial investigation would, it will be imagined, have met with a cordial reception by those interested. But they well knew the weakness of their respective positions. Mr. Smith declined, on the ground that Mrs. Wells was unable to sustain the expense of litigation, whereupon Dr. Morton offered (through the Hon. Charles Chapman, Hon. Geo. T. Davis, and C. March, Esq.) to either advance her in cash the means for such litigation, or to defray the expense himself. This doubly liberal offer was declined! Dr. Jackson's attorney, in his behalf, also declined! They each sought darkness rather than light!

This was all the more singular on the part of Mr. Smith, be-

cause this bill embodied in a much more satisfactory manner, the substance of the very amendment which he had offered during the previous session, and had afterward withdrawn. It shows how false was his apparent wish to have his cause investigated, and how true the supposition had been that in offering it, he merely desired to confuse the minds of the Senate by the conflicting character of the claims. If he had really and truly designed to have the case of Mrs. Wells examined fully by competent persons as his amendment proposed, what reason could he suggest for opposing the same proposition as made in this instance?

"It is now more than six years," said the introduction of Dr. Morton to his chain of evidence which he had published, "since the world received, at my hands, what I may not scruple to call one of the greatest of physical blessings. Whatever attempts may be made to throw doubt upon other points in the case, no one has been reckless enough to deny that I alone have been, in fact, the humble instrument through whom a beneficent Providence has conferred this boon upon mankind. Whatever floating notions may have crossed men's minds from the earliest ages, tending to the same end, it must be conceded that the world was no whit richer for them until it fell to my lot to devote all my energies and sacrifice all my means to its attainment. Now it is fully attained. What was the dream of the philanthropist and the half-formed conjecture of the scientific speculator, has become a household fact.

"To me alone, of all the world, this result has been fraught with suffering instead of comfort. Of pecuniary sacrifices I will not speak; but surely it was not to have been anticipated that this discovery should have made me the target for the most malicious and envenomed assaults. There are wounds which are sharper than those of the surgeon's knife, and which,

> ——— 'Not poppy, nor mandragora,
> Nor all the drowsy syrups of the world,'

can make us feel less keenly. These have been my portion. I trust that the reward is at hand. I look to you for justice: nothing more, nothing less."

While the question was under investigation by the select committee of the Senate, a pamphlet entitled, "An Examination of the Question of Anæsthesia," was printed and circulated among members of either branch of Congress. "It was written," said the Hon. Mr. Walker, chairman of the committee, "by the Hon. Truman Smith, a member of the committee, and had thus a quasi-official character. And as, in my opinion, that paper presents a one-sided and partial view of the question, such as might be expected of an advocate of easy faith in his client's cause, and strong indignation against all who oppose it, and consequently comes to a conclusion widely different from that which a calm and impartial consideration of the whole case would warrant, I deem it an act of mere justice to the person who I believe has the right, to present also the opinion which I have formed upon the same points after a careful examination.

"The writer of that paper gives the whole merit of the discovery of practical anæsthesia to the late Dr. Horace Wells, of Hartford, Connecticut, and he denounces, in no measured terms, as pirates and impostors, both the other claimants to that distinguished honor. He is especially bitter and abusive of Dr. Morton, whose character is above all reproach, and whose claim to the contested prize is supported by very strong evidence, while he shows some little forbearance toward Dr. Jackson, who has failed in making out his claim. The strength of his denunciations against the respective parties, and the degree of villainy which he imputes to them, are in direct proportion to the strength of their proofs.

"I feel no interest or wish in this matter, except that the truth may be arrived at, and right and justice done; and that I may discharge faithfully the duty which the Senate has imposed on me by the reference, by endeavoring to obtain it, and present it. And it is but fair to say, in the outset, that, after a careful examination of all the allegations and proofs to which I have had access, my mind is made up—my opinion formed on the question—and that I concur with the Board of Trustees of the Massachusetts Medical Hospital in the opinion expressed in their report of January 26th, 1848, and with the two committees of the House

of Representatives of 1849 and 1852, that Dr. W. T. G. Morton first discovered and brought into general use a safe, certain, and efficient anæsthetic agent, applicable generally to all dentrical, surgical, and obstetrical cases, and, that he is entitled to whatever honor and reward are due to the discovery, and the free and general use of it, by the army and navy of the United States, by the country, and by the civilized world."

The able opinion of Mr. Walker was afterward incorporated into the report of the committee to the Senate. It gave a review of the whole question, and refuted clearly the calumnious statements advanced by Mr. Smith. "Arguments like these," it says, "which have no foundation save in the positive imagination of their coiner, show the real weakness of the cause they are intended to sustain, backed by gross libels and defamatory charges."

The committee made their report on the 19th of February, and it was ordered to be printed. Taking the suggestion of Dr. Morton, as given in the *projet* of the bill handed to the other contestants, and his determination to take them at their word, and secure a complete investigation whether they wished it or not, it stated: "That in the opinion of the committee such a discovery has been made, and that the credit and honor of the discovery belong to one of the following persons, all citizens of the United States, to wit: William T. G. Morton, Horace Wells, deceased, or Charles T. Jackson; but to which of these persons in particular the discovery should be awarded, the committee is not unanimous, and consequently the committee is of opinion that this point should not be settled by Congress without a judicial inquiry.

"But the committee has no hesitancy in saying, that to the man who has bestowed this boon upon mankind, when he shall be certainly made known, the highest honor and reward are due which it is compatible with the institutions of our country to bestow.

"The means of safely producing insensibility to pain in surgical and kindred operations have been the great desideratum in the curative art from the earliest period of medical science, and have been zealously sought for during a period of more than a thousand years. At various periods, and in various ages, hope has

been excited in the human breast that this great agent had been found; but all proved delusive, and hope as often died away, until the discovery now under consideration burst upon the world from our own country, and in our own day. Then, and not until then, was the time-cherished hope realized that the knife would lose its sting, and that blood might follow its edge without pain.

"But for the committee to dilate upon the importance of this discovery were futile indeed. The father or mother who has seen a child, or a child who has seen a father or mother, upon the surgeon's table, writhing and shrieking from pain and agony; the husband who has seen his wife suffering, perhaps dying, under the undurable pangs of parturition, the extirpation of a breast or cancer, or the amputation of a limb, while she appealed and implored for help and ease which he could not otherwise render; the commander who has seen his soldiers, and the soldier who has seen his companion, sink, nervously shocked, to death from pain, in the absence of this alleviation; and the surgeon who is forced to torture, while, perhaps, he weeps, can all more readily feel the magnitude and blessing of this discovery than the committee can describe it. Indeed, while the heart of man shall remain human, or possess the power to pulsate in sympathy with human suffering, it would seem that none would deny it the meed of pre-eminence among the discoveries of any age."

The report was accompanied by the elaborate opinion of Mr. Walker, referred to above.

On the 25th of February the matter came up for discussion, and at the request of the Select Committee, the Committee on Military Affairs offered as an amendment to the Appropriation bill, the proposed measure, by which $100,000 was to be paid to the discoverer of this great boon for the alleviation of human suffering, and the saving of human life. The debate was a warm one, many Senators participating, yet it is gratifying to record the absence of all abuse of Dr. Morton, or defamation of his peculiar claim. Most especially effective was the eloquent manner in which Mr. Walker closed his remarks:

"If I could allude," said Mr. Walker, "to what brought me immediately to know the value of this discovery, I might express

myself with more direct feeling than any other member of the Senate, for I know not whether any other member has had the misfortune of having this great alleviation introduced into his family circle. I have. I have seen a member of my family, now dead, suffering under the surgeon's knife, lying in a calm and peaceful sleep, and yet undergoing one of the most torturing surgical operations in the world. I felt at that day, rising in my heart, the feeling that if God should ever give me the opportunity of manifesting my gratitude to the person who has made this great discovery, I should do so. The opportunity is now offered. Whether the Senate will sympathize with me or not, I know not; but it is now for them to speak, and to decide by their vote."

The objection on this occasion appeared to be one which had been brought up against Dr. Morton, in an opposite direction, previously. He had been denounced because he had patented his discovery in order to restrain it from being used by improper persons; but he was now told that he should enforce his patent. "Let him," said Senator Norris, of New Hampshire, "enforce his patent as other patentees do."

"As to this objection," said Senator Borland, "that Dr. Morton has a patent and he should enforce his patent-right, I need hardly remind the Senate that this is one of those cases where, from the very nature of the circumstances, the rights of the patentee cannot be enforced. You cannot go into the sick chamber and arrest the surgeon in the performance of his professional duty, and deprive a patient, who is on the verge of the grave, of a benefit from the application of a remedy, because it may infringe the right of a patentee. And if you could, it is one of those cases at which the feelings of every man would revolt. It is one of those cases where you cannot enforce a patentee's rights. You would have to go to the bedside of almost every sick man in the country. You would have to follow your army and navy surgeons throughout their whole course, upon the land and upon the sea, and examine into every case where they have occasion, in the alleviation of human suffering and the saving of human life, to use this remedial agent."

"I regard the discovery," said Senator Butler, of South Carolina, "from its very sublimity, as one which cannot be subjected to a patent. Yet it comes clearly within the spirit of the patent laws; and if a man can have a security for his rights for what is tangible, Dr. Morton ought to have some protection for that which is more sublime, and above the tangible mode and subject of patents."

Senator Norris took an opposite view of the subject, concluding by saying: "It is patentable, and a patent has been issued for it under the law."

Quite a protracted discussion ensued, for which we have not space in this work. "Whether this is a matter for a patent or not," said Senator Hale, of New-Hampshire, "the government is in the actual and positive enjoyment of it—therefore, if it is a great benefit, if it is too sublime for the operations of such a sublunary affair as the patent laws, then let us take a sublime position, and compensate the man whose invention and discovery we are using. If it is not too sublime for that, and if it does pertain to the earth, and is earthy, let us deal with it in that way, and recognize the established fact, that there is a patent-right and that we are infringing it to-day in the army and navy, virtually saying to Dr. Morton, 'You cannot sue us.' No, sir! The United States have received the benefit of this discovery. Everybody admits that is a great discovery; everybody admits that it is one of the greatest contributions to the cause of humanity which this age or any other has witnessed, and the world accords to this country the honor of the discovery. It seems to me, that if it be such a great benefit, and we are using it, we ought to make compensation for it."

The amendment was agreed to, by a vote of 26 to 23, and on the first of March it came up in the House of Representatives, where the same objection was offered to it that had been raised in the Senate. "Let these parties," said Mr. Woodward, "pursue their rights according to existing laws. Let the patentee prosecute his right if the patent is violated."

But an unforeseen incident, which unexpectedly arose, defeated the amendment. A friend of Dr. Jackson, Mr. Stanly, of North Carolina, moved to give the court power to divide the award, if

they thought proper, for distribution to the different parties in such proportions as might be due to their respective merits in connection with the discovery. This proposition Mr. Meade thought Dr. Morton would accede to, but no sooner did he express such an opinion, than members cried out, "A bargain! a bargain!" Mr. Stephens, of Georgia, openly made the charge, and, although it was indignantly denied, yet the impression could not be removed at that exciting period of the session, then about to terminate. It was then after midnight, and everything was in a confused and disorganized state. The amendment of the Senate was non-concurred in, by a vote of 44 to 85. One long day more, and the thirty-second Congress adjourned.

CHAPTER XX

THE LAST DEFEAT

"Saucius ejurat pugnam gladiator et idem
Immemor antiqui vulneris arma capit.—*Ovid.*

At the commencement of the thirty-third Congress, Dr. Morton again repaired to Washington, having been assured that the bill he had proposed and worked so hard to secure the passage of in the senate the session previous would now meet with no decided opposition in either house. He felt assured that if his opponents had any confidence in their own claim, that they would not make any opposition, because it would give them $100,000 if they really were right, and he would have labored hard to put it in their pockets; but they still opposed, and the following protest was laid on the members' table:

"Protest of Dr. Charles T. Jackson, against the Bill providing for the Recompense of the Discoverer of Practical Anæsthesia.

"*To the Honorable Senate and House of Representatives of the United States of America in Congress assembled*:

"The undersigned, your memorialist, has been informed that an attempt will be made at the present session of Congress to appropriate one hundred thousand dollars to the discoverer of practical anæsthesia, and to provide that the parties who claim this discovery shall defend their rights in the courts of the United States.

"Your memorialist invites the attention of your honorable bodies to the report* of Messrs. Stanly and Evans on the ether discovery, made at the first session of the Thirty-second Congress, and to the evidence therein contained, proving that he has been recognised by the scientific world, and

* Minority report.

by the Academy of Sciences of France, as the undisputed discoverer of anæsthesia.

"Your memorialist represents, that although he has so vital an interest in this measure, he has not been consulted in the framing of the proposed bill, and has never, in any manner, assented to it. He asks no reward from Congress for this discovery. He is satisfied with the judgment of men of science as to his rights, and therefore earnestly protests against the passage of the proposed bill, which will compel him, against his will, to abandon his scientific labors, and to spend his substance and time in an expensive and protracted litigation, to defend his rights of discovery in courts of law, which cannot have proper cognizance of questions of science.

"Respectfully submitted.

"CHARLES T. JACKSON."

The Hon. Edward Everett, then a Senator from Massachusetts, interested himself in the matter, and advised Dr. Morton to have it referred to a select committee. "I would," wrote Mr. Everett to Dr. Morton, "offer to report on it, but I am on four committees and am really overwhelmed with business. It is, besides, quite important for you to have the matter taken up by some administration Senator."

Subsequently, however, Mr. Everett requested a copy of the Army appropriation bill, which in its 21st and 23d sections contained the amendments which had passed the Senate the previous session. After a careful examination of it, Mr. Everett returned the following favorable answer:

"WASHINGTON, *Jan.* 19, 1854.

"DEAR SIR:—I think the provisions of the 21st and 23d sections of this bill reasonable and judicious, and I will cheerfully give them my support in any way you think best.

"Yours, &c. "EDWARD EVERETT."

Accordingly, on February 15th, he presented the amendment as a bill,* which was referred to the Committee on Military Af-

*A BILL to recompense the discoverer of practical anæsthesia.

Whereas, a discovery has been made, and is now in practice, whereby the human body can be rendered safely insensible to pain in dental, surgical, and obstetrical operations, by the use of what are commonly called anæsthetic agents, and the government of the United States has been and is in the en-

fairs. They but confirmed the thorough investigation of it which had been already made in both houses of Congress, and reported it back with some few amendments of a technical character, the principal one being the addition of the clause printed in italics.

joyment of said discovery in the military and naval service; and whereas, it is believed that the discovery was made by some one of the persons following, to wit: William T. G. Morton, Charles T. Jackson, each of Boston, and Horace Wells, of Hartford, deceased; but it does not appear, to the satisfaction of Congress, which of those parties was the original, true, and first discoverer thereof; and whereas, Congress is willing to provide a recompense for such discovery when ascertained: therefore—

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of one hundred thousand dollars be, and the same is hereby appropriated, out of any money in the treasury not otherwise appropriated, to be paid by the Secretary of the Treasury, as hereinafter provided, as a recompense for said discovery, and the use and benefit thereof by the government and people of the United States.

SEC. 2. *And be it further enacted*, That it shall be the duty of the district attorney of the United States, for the northern district of New York, within a reasonable time after the passage of this act, to file in the circuit court of the United States for said district, sitting in equity, a bill of interpleader, wherein, reciting this act, or the substance thereof, the Secretary of the Treasury, as trustee of the sum herein appropriated, shall be complainant, and the said William T. G. Morton, Charles T. Jackson, and the personal representative or representatives of said Horace Wells, *and any other person or persons who may make application to the court for that purpose*, shall be defendants; of which bill, they, the said parties, shall take notice, and may appear, and answer, and make proofs; and the said circuit court shall have jurisdiction of said case, and the same shall be tried in the manner, and according to the practice of such court, in equity cases; and the issue therein shall be, which one of the said parties first named was the original, true, and first discoverer of the discovery hereinbefore recited; and by final decree in such case, the court shall decide that issue, and shall direct that the said sum of one hundred thousand dollars, without any costs, shall be paid over to the party who shall be found to have been such discoverer, or to his personal representative or representatives or assignee: *Provided*, That if one or more of said defendants shall conceive himself or themselves to be aggrieved by said decree, he or they may, within twenty days after the making of the decree, appeal to the Supreme Court of the United States, and thereupon the payment of said sum shall be suspended until final disposition be made of said case by the said Supreme Court. *And provided further*, That if it shall appear that either of said defendants holds a patent for

This bill was placed on the Senate calendar as No. 210, and was not considered by that body as strictly a "a private bill," as appears by a brief debate on the 7th of April, when Mr. Everett made the inquiry.

On the 19th of April, Mr. Everett called the attention of the Senate to the subject, and urged the Senate to reward the discoverer of anæsthesia. But now, that Dr. Morton had generously admitted other claimants to stand with him (conscious that he must succeed), a host of interlopers were introduced, one by one. The names of Dr. Long, of Georgia, Dr. Justine, of New-York, and a Dr. Dickinson, were added to those of Drs. Morton, Jackson, and Wells, as coming in under the clause covering other claimants.

When all these amendments had been made (most of them, too, by gentlemen who voted against the bill after it had received their amendments), the final question was ordered to be taken by yeas and nays.

Previous to this, Senator Brown presented an invincible argument for his vote in favor of it, which concluded thus: "That the importance of the discovery may be known, as it stands in my mind, I will simply remark, that for more than two thousand years the world has been in search of this discovery. At last it has been made. It is the most important boon, I think, which has been given to mankind for many centuries. When the Government has taken possession of it, and is using it without pay, without compensation, and without acknowledgment to the

said discovery, or the means of applying the same, which, in the judgment of said circuit court, is valid, then it shall be the duty of said court to certify such fact to the said Secretary, who shall thereupon withhold from such defendant said sum, should the same be decreed to him by the said final decree, until he shall have executed, under his hand and seal, an instrument in writing surrendering such patent, and granting the free use of said discovery, and the means of using or applying the same to the government and people of the United States; which instrument shall be lodged in the Patent Office and entered on the records thereof: *Provided*, That before the said sum of one hundred thousand dollars shall be paid to either of the parties named in this act, he shall make oath in due form of law that he has not been guilty of collusion with either of the other parties named in this act, in any way whatever.

patentee, its acknowledged discoverer, I think we ought to pay for it."

The bill was then passed, by a vote of 24 yeas to 13 nays.

Generally speaking, it is a somewhat difficult matter to have a bill which has passed the Senate called up for immediate action in the House, and only then by the personal efforts of some member who has it in especial charge. Neither Dr. Morton nor any of his friends, had any idea that the bill would be called up in the House for several weeks, during which time, it was hoped that the documents which had had such a convincing effect in the Senate could be laid before each member.

Neither was the bill, in strict parliamentary parlance, "a private" one. This had been actually settled in the Senate on the 7th of April, when the decision of the president *pro tem.* to that effect had been sustained.

But, on the second morning after its passage in the Senate, and without any intimation, the Speaker of the House of Representatives called it up, and laid it before the House. It was a Friday morning, when scarce a quorum was present, and well did Mr. Clingman, of North Carolina, ask: "How does the bill get in? Is it before us regularly?"

The Speaker replied: "This being private bill day, and the chair *conceiving* it to be a private bill, laid it before the House."

In vain did the few friends of Dr. Morton present, themselves uncertain how to act, seek to have it referred to the Committee on Military Affairs. It had been thus brought up to be killed, and killed it was expected to be. The only objection offered was the multiplicity of claimants: "Messrs. Morton, Jackson, Nicholson, Wells, and others," as a member remarked, "are scattered over the whole country. There is to be a bill of interpleader filed in the circuit court of the northern district of New-York. The Secretary of the Treasury is to be the complainant, as the trustee of this fund, and these gentlemen are to be defendants. They are to get together their witnesses and counsel there from all sections of the Union, and to litigate this matter to their satisfaction, and then this money is to be awarded to them, and the Government is to pay the costs of that adjudication. I would

infinitely prefer that either of the committees of the House should, at once, decide the question, and give the money, right or wrong, for it would be a saving to the country."

Alas, this had already been done by committee after committee; yet now the more judicial decision, which had been quoted as so desirable, was set aside, and Dr. Morton was told, upon the floor, to "maintain his patent-right under the laws of the United States."

What little discussion there was, did not last but a few moments. Debate was strangled, and the bill was laid on the table by a vote of 80 yeas to 46 nays. Not content with this, and to make his opposition doubly sure, a member from Tennessee moved "to reconsider the vote by which the bill was laid upon the table, and to lay the motion to reconsider upon the table." The purpose was accomplished.

The manner in which Dr. Morton comported himself during this, his third and severest trial, is well shown by a letter written by his wife to an intimate friend in Boston, with whom her husband had been in the habit of corresponding almost daily during every month of his residence at Washington, and to whom he was under the greatest obligations:

"WASHINGTON, *April 24th*, 1854.

"I have offered to write to you to-day for the Doctor, for indeed he feels too sick at heart to write himself. You, of course, have seen by the papers that his bill was lost in the House; I do not know that his hopes for the future are lost, but his feeling of disappointment now is terrible. He says, that he feels he has done everything he could do, and yet this misfortune has followed him. We had much reason to hope for success; it passed the Senate with but little trouble and came up in the House; it was an unfortunate day. The speaker took up the bill about ten minutes after the House met, with a view to refer it, when Mr. Jones and Mr. Hamilton seeing there was no one about to take an interest in it, moved, first to get it away from the committee, and not succeeding, moved to lay it on the table, which was done. Col. Bissell came in too late to do anything effectually about it, and what few members were there who knew anything about it, were ignorant what direction should be given to it. The House was in bad humor and neglected almost everything; indeed, the friends of the bill could not obtain the floor to do it justice. I was not present, fortunately for myself, and I could not have believed had I not been told by those in

whom I can trust, the manner in which it was managed. It is said to be a matter unknown for the Speaker to go to the business on the Speaker's desk without a motion from a member. It has created quite a fracas for us here. It is a sad disappointment to us. Doctor's health is so injured by such anxiety and excitement that I feel in no manner reconciled. I think you can appreciate Doctor's feelings in not writing to you to-day. Do not think he is disheartened or entirely discouraged, for he would not admit that.

With this sad disappointment ended all attempts of Dr. Morton to procure a national recognition of his merits through the medium of Congress. During eight long and weary years, he had been engaged at the cost of health, time, money, and every comfort for which we value life, industriously vindicating his claims to that national gratitude which his friends urged Congress to grant, and which, as we have shown, was only defeated by accident, personal hostility, or jealous revenge. During this period his life had been one arduous mental struggle. Forced into the turmoil of legislative anxiety, with all its hopes and fears—its display of passions and emotions—Dr. Morton received no pecuniary reward, but the record of Congressional proceedings has many a page (between 1846 and 1855) emblazoned with the story of his self-sacrifices in behalf of suffering humanity. To perfect and extend his discovery was the ruling passion of his soul, to which he dedicated every power of his mind, every pulsation of his heart. Here was the secret of his success in enlisting the sympathy of powerful friends, even when his enemies loaded him with abuse. The unselfish manner in which he had abandoned a lucrative profession, and even risked his life, to introduce a blessing to suffering humanity, had only to be narrated by him to reach the hearts of his auditors. No man who has appeared before the magnates of the land ever displayed more fearless enthusiasm; no man ever possessed the unfeigned friendship of so many of the good and the great, the gifted and the gay, who congregate at Washington.

Yet it is equally evident that, throughout this almost decade of Congressional struggle, it was Dr. Morton's delight to retire whenever a moment of leisure could be had, or the exigencies of his case did not forbid the idea of pleasure, to the quiet fields of

the Etherton estate, and there enjoy the placid solitude of domestic life, out of the turmoil of metropolitan companionship. Agricultural labor was his recreation! In the activity of his body did the energy of his intellect find its support and its rest. The barren pastures became, under his management, fertile fields and fruitful orchards, while around him were comfortably settled his parents and other relatives. Leaving the stormy arena of the Capitol, he could gaze around upon the quiet loveliness presented by the face of creation, and find calm enjoyment at the home of his affections.

In 1850, the agricultural society of Norfolk county, in which Etherton farm is situated, was instituted by the Hon. Marshall P. Wilder, and others who were the personal friends of Dr. Morton. Under their fostering influence a spirit of agricultural inquiry was aroused, which led practical as well as amateur farmers to such information on those natural laws and principles upon which depend the full development of agricultural resources.

No one would have supposed that Dr. Morton, who naturally sought at his country-seat relaxation from the professional duties of the city, would have been willing to enter into agricultural investigations. Yet he was no sooner solicited to lend his aid to the advancement of the objects of the county society, than he entered into it with zeal; he was elected a trustee of the society, and to committees of the highest importance. Its published transactions show the results of his careful observations on the different breeds of cattle and swine, with the food best calculated to increase their value; on the various fertilizing substances, and the best methods of applying them; on the circumstances and requirements that are essential to enable esculent roots to take up and assimilate the elementary principles that are essential to their vitality and growth; on the advantages of underdraining; in short, he gave the results of his practical experience, illuminated by the light of science.

The premiums awarded to Dr. Morton, at different times, by the State and Norfolk County Agricultural Societies, not only bear testimony to his own superiority of culture, but to the ne-

cessity for science in this primitive vocation; in fact, there is no pursuit which requires more scientific investigation. So remarkable were these premiums, that, to give the reader some idea of his taste and skill in his agricultural pursuits, we quote them entire, in a note below, from the records of the Norfolk Society, for the year 1855.* It was by studying the laws of those chemical changes which take place in fertilizers and soils, and their influence on vegetation, from

* First premium of $20 to Dr. Morton, of Needham, for the most valuable and economical improvements in the cultivation and management of the farm entire during the year.

STATE PREMIUM.—For the best dairy of not less than six cows, which shall be owned by the exhibitor, and kept within the county not less than five months previous to the cattle show. First premium awarded to Dr. W. T. G. Morton, of Needham, $75.

Butter—Only one specimen of a lot of forty pounds, was offered, for which the committee awarded a premium of $20, to Dr. W. T. G. Morton of Needham.

To W. T. G. Morton, for the best pair of farm horses, a premium of $10.

Dr. W. T. G. Morton. of Needham, for his fine Alderney bull.

Jerseys.—First premium to Dr. W. T. G. Morton, of Needham, for his cow "Beauty," $5. *Jerseys*—Second premium to Dr. Morton for his cow "Dairy Maid," $3. *Ayrshire*—Second premium to Dr. Morton, of Needham, for his cow "Hornet," $3. *Durham*—First premium to Dr. Morton. *Grade*—Second premium to Dr. Morton, of Needham, for his cow "Blossom," $3.

MILCH COWS WITH WRITTEN STATEMENTS.—First premium to Dr. Morton of Needham, for his cow "Woodbine," $10. Second premium to Dr. Morton for his cow "Fanny," $8. Third premium to Dr. Morton for his cow "Nonesuch," $6. Fourth premium to Dr. Morton for his cow "Challenge," $4.

To W. T. G. Morton, of Needham, first premium of $3, for Jersey heifer, eighteen months old. To W. T. G. Morton, of Needham, first premium of $3, on the best heifer under one year old, Alderney.

On swine, second premium of $5 to W. T. G. Morton, of Needham. For the best breeding sow, first premium of $6 to W. T. G. Morton, of Needham. For the best weaned pigs, first premium of $5 to W. T. G. Morton, of Needham.

Best lot of geese, to Dr. W. T. G. Morton, $3. Second best lot of Turkeys, to Dr. Morton $2. Best lot of live fowls, to Dr. Morton, $4.

the germination of the seed to the maturity of the crop, that Dr. Morton based his much talked-of crops of esculent roots.

It was by a careful attention to the laws of animal physiology, that he carried on a series of experiments, directed by scientific research into the nutritive value of substances for food, that he so perfected different races of live-stock, as to have his animals sought for all over the United States. And it was doubtless a source of true enjoyment to the proprietor of "Etherton," while engaged in the stormy conflict of professional controversy, to retire to his well-tilled domain, and there—while reviving the memories of his childhood's home among his household treasures—to feel that he was (by the fruit of his scientific researches) redeeming labor from drudgery, while quadrupling its efficiency, and crowning the earth with plenty.

Immediately after one of the unsuccessful applications alluded to, Dr. Morton received notice that it was the desire of a few of his friends in Norfolk county, to meet him at Etherton, his country-residence, upon his return home. On his arrival his heart was made more than full, by meeting with the President, Vice-President and Secretary of the National Agricultural Society, Hon. Marshall P. Wilder, B. V. French, and Wm. S. King, several of the clergy, and members of the medical profession, making, with others, a numerous company. While they were exchanging congratulations, and going over the grounds, taking a survey of the fine stock and crops of the Etherton farm, a repast was promptly prepared, consisting, to the surprise of all, entirely of the products of the farm, furnishing ample evidence, as was remarked by gentlemen present, that Dr. Morton was no less skillful in the cultivation of the soil, than in the other branches of business which had engaged his attention. Mr. Wilder, in his usual happy manner, at the head of the table, toasted the discoverer and agriculturist, which brought out remarks from the company expressive of the sentiments that had brought them together, and showed Dr. Morton that however cold the hearts of Congressmen might be, it was quite otherwise with his friends and neighbors.

While his health was recuperated by the quiet joys of rural life, Dr. Morton brought his high powers of mind to a scientific ob-

servation of nature, which enabled him to indulge profitably in the mysteries of modern agriculture. Every new process or novel theory was accurately estimated, and then, if deemed worthy, executed with an exactness and care which enabled him to win high premiums, and higher encomiums, from the agricultural committees which sat in judgment on his system of tillage, his crops, his flocks, and his herds. As a sample of the manner in which these committees had occasion to speak of Dr. Morton's agricultural management, we give the following extract from the report of the committee on farms, submitted to the Norfolk County Agricultural Society, at their annual exhibition in 1855:

"Members of our committee visited the farm of Dr. W. T. G. Morton at West Needham. The statistics, and a very full description of the doctor's estate, were published in the transactions of last year, and Dr. Morton has evinced his energy and public spirit by the improvements that he has made upon his place—by the fine stock that he has purchased and bred—by the convenient and comfortable stables and other farm edifices that he has erections, and by the unsurpassed contributions that he makes to our annual exhibitions."

Much of the success of the Norfolk agricultural exhibitions were dependent upon the appearance of Dr. Morton's stock, and the least backwardness brought out immediate requests like the following:

'DR. MORTON:

"Why don't we hear from the fine milch cows and Jersey stock, for our exhibition? Let us have the entries at once, so as to secure good pens.

"MARSHALL P. WILDER.

"Send the glorious Suffolk pigs, also."

Many pleasant accounts of this rural paradise have been written by literary personages who have enjoyed Dr. Morton's hospitality; but none give so perfect an idea of it as the following, by Mrs. S. J. Hale. Having known Dr. Morton when he was a lad, earnest in the pursuit of scientific knowledge, under difficulties, Mrs. Hale has ever taken a deep interest in his welfare. This is her description of a visit to Etherton Cottage in 1853:

"West Needham, notwithstanding its poor prosaic name, is really a pretty, pastoral-looking place, surrounded by low, wooded hills, protecting, as it were, the fine farms and orchards, and the pleasant dwellings, everywhere seen in the valleys and on the uplands around. In twenty minutes after leaving the bustle of Boston, if the cars make good speed, you will reach this rural scene, where Nature still holds her quiet sway, except when the steam-horse goes snorting and thundering by.

"Here, in the heart of this still life, Doctor Morton, some fifteen years ago, selected an uncultivated lot, covered with bushes, brambles, and rocks, and by his own science and taste, and the strong arm of Irish labor, he has formed a home of such finished beauty as would seem to require, at least, in its gardens and grounds, a quarter of a century to perfect. His grounds slope down to the railroad embankment; but a plantation of young trees, and on the height above, thick groves of a larger growth, hide the buildings from view as the cars pass on this great route from Boston to the West. From the station it is a pleasant drive through the shaded and winding way as you ascend the rising grounds to the South. Suddenly turning a shoulder of the knoll, Etherton Cottage is before you. The effect was fine, and what made the scene more interesting to us was the presence of another cottage nestled near by, smaller but equally pleasant-looking, where we knew Dr. Morton's good parents resided. Here they live as one household, and from the windows of Etherton Cottage may be seen the country dwelling of another member of the family, a sister, now happily married to Dr. George H. P. Flagg, of Boston.

"We might give a long description of these pretty cottages and beautiful grounds, but words are wasted to little purpose in landscape or architectural descriptions. So leaving the walks, arbors, flowers, and fountains, we will introduce you at once to Mrs. Morton, a lady whose attractions and merits we had heard much praised while in Washington last winter. She is, indeed, one of those true women who seem born to show that Solomon's old picture of a good wife and mother may now be realized. The doctor seems very fond and proud of her, as he may well be

and their children—the eldest a girl of nine, the youngest a boy of three years, with a brother and sister between—formed a lovely group of more interest to us than all the 'superb views' around. So we will just tell you, dear reader, of the family and their home pursuits, as these were revealed to us during that interesting visit.

"We should say here that Dr. Morton has relinquished his profession, and now passes his summers entirely at this country residence, and his winters in Washington, where he hopes soon to gain from Congress some reward for his great discovery of etherization. When this is granted, he intends visiting Europe, where he is urgently invited by the savans of the Old World. It will be a triumph for Young America to send forth a man so young, who has won such distinction. It seemed but a few years since we first saw Willie Morton, a clerk in the publisher's office where our own magazine was issued; and now we were his guest, in his own elegant dwelling, surrounded by every requisite of happiness.

"His country life is just what it should be, devoted to rural pursuits and filled up with plans of home improvements. You only feel the presence of his inventive genius by its active operation on the material world around. Not a word is heard of 'chloroform' or 'ether' at Etherton Cottage; but various contrivances for obviating all defects or difficulties in bringing his domain into the perfect order he has planned, meet you at every turning, and all sorts of odd combinations appear, which, when understood, are found to contribute to the beauty or utility of the whole. In short, everything useful is made ornamental, and the ornamental is made useful.

"Then the Doctor has a passion for surrounding himself with domestic animals. This we like; it makes a country home more cheerful when dumb dependants on human care share the abundance of God's blessings. So after dinner we went to the barn to see the 'pigs and poultry.' This barn, fronting north, was quite a model structure, built on the side of the sloping ground, combining, in its arrangements, rooms for the gardener (an Englishman) and his family, and the barn proper, where the horse

and cow had what a young lady called 'splendid accommodations.' There was also a coach-house and tool-room, a steam-engine room where fodder was cut up, and food—that is, grain of several kinds—ground for the swine and poultry; also a furnace where potatoes were steamed. The water was brought by hydraulic machinery from a brook at the bottom of the grounds for use in the barn, and everything was managed with scientific skill and order.

"The arrangements for the poultry were very elaborate. Their rooms were the first floor at the back or southern front of the barn; of course, half underground. This lower story had a lattice-work front, and within Mrs. Biddy had every accommodation hen-life could desire. Into these apartments the troop were allowed to enter at evening through a wicket opening in this southern front; but in the morning the poultry all passed out into the northeastern portion of the grounds allotted them, where was a pool of water for the water-fowl, and a fine range for all.

"Still, the green field at the south, the running brook, and the eventide meal, made them all eager to rush in whenever the gate between the two portions of their range was opened. It was this rush we went to witness.

"We stood in the main floor, near the southern or back door of the barn, which overlooked the green field; the little gate opened, and such a screaming, crowing, gabbling ensued, and such a flutter of wings, that for a few minutes it was nearly deafening. A pair of Chinese geese led the way of this feathered community. These geese, a present from the late statesman, Daniel Webster, to Dr. Morton, who prized them accordingly, were entirely brown, of large size, carrying their heads very high, and walking nearly upright; they sent forth shouts that made the air ring. They seemed to consider themselves the Celestials, and all beside inferiors. Next, came a pair of wild geese; one wing cut, and thus obliged to remain in the yard, they had become quite tame; but still, their trumpet call seemed to tell their love of freedom. These, too, were brown, with black heads, and long lithe necks, that undulated like the motions of a snake, with every movement. Very unlike these were

the next pair of snow-white Bremen geese, stout, fat, contented-looking creatures, only making the usual gabbling of geese which are well to do in the world. Among the varieties of the duck genus were several of the Poland species; snowy white, except the vermilion-colored spots on the head, that look like red sealing-wax plasters round the eyes. These ducks made a terrible *quackery*. But the domestic fowl was the multitude; there appeared to be all kinds and species, from the tall Shanghais, that seemed to stalk on stilts, to the little boat-like creepers that move as if on castors. It was a queer sight, such an army of hens and chickens, rushing hither and thither, to pick up the grain scattered for their supper. And then the pride of the old peacock; he just entered with the rest, then spread his heavy wings and flew up to the ridgepole of the barn, where he sat alone in his glory. It was, altogether, a pleasant sight.

"But within the barn was a lovelier spectacle. From the centre beam hung a large rope, its lower end passing through a circular board, about the size of a round tea-table; four smaller ropes passed through holes near the edge of this round board, at equal distances, and were united with the large rope several yards above, thus forming four compartments, with the centre rope for a resting-place. In these snug spaces were seated the four beautiful children, like birds in a nest, swinging every way in turn as the little feet that first touched the floor gave impulse.

"It was a lovely picture of childhood made happy by parental care for the amusements of infancy. The father's genius had designed that swing to give pleasure, as it had discovered the elixir for pain, by taking thought for others. With both Dr. Morton and his amiable wife, the training of their little ones seemed the great subject of interest. The children were *well governed*, this was easy to see, and thus a very important point in their instruction was made sure. They were also made happy by every innocent and healthful recreation. Their future destiny seemed the engrossing object of their parents' minds; to bring up these little ones in the fear and love of the Lord, their most earnest desire.

"During the evening, the topic of education was the chief one discussed, and we parted from this interesting family fully assured that the good old Puritan mode of uniting faith in God with human endeavor was there understood and acted on. Miss Bremer might find, at Etherton Cottage, a charming illustration of her 'love-warmed homes in America.'"

CHAPTER XXI.

ACTION OF THE EXECUTIVE.

"The Circumlocution Office was the most important department under government. This glorious establishment had been early in the field; when the one sublime principle involving the difficult art of governing a country was first distinctly revealed to statesmen. It had been the foremost to study that bright revelation, and to carry its shining influence through the whole of the official proceedings. Whatever was required to be done, the Circumlocution Office was beforehand with all the public departments in the art of perceiving—HOW NOT TO DO IT."—*Little Dorrit.*

ANNOYED and discouraged by the vacillating and capricious conduct of Congress, Dr. Morton was left by its last action completely at a loss what step next to take. The short debate which had ensued in this last session upon the presentation of his bill, showed him that an entirely different basis for argument had been taken from that which had been adopted at any of the previous sessions. At these, any remuneration to him had been refused, because the genuineness of his claim was disputed—because, as there were several contestants, too much doubt existed in the minds of a majority of the members as to the propriety of paying so large a sum to one man, until his right to it had been established more clearly to their satisfaction. But now it seemed as if convinced by the uncontrovertible character of his arguments and the multiplicity of his proofs, and also by his proposition to put the question to a fair test, by letting the consideration be taken from them and away from any influence which he might have to guide the decision, and be placed within the jurisdiction of a court of law, they had concluded to dodge the issue by another quibble. It was obvious that the majority were willing to acknowledge him the discoverer, and were content that he should reap any *honor* from it possible; but when it came to showing their belief by a pecuniary recognition, it was another affair. If a way could be found by which the benefits of the discovery could be retained by the United States, and all payment avoided, it

must be done. It was simply the course pursued by many a private individual who, having plenty of money, has plenty of use for it, and finding it so valuable, is very little inclined to part with it without a struggle. If called upon for the payment of a demand, he finds it much to his advantage to put it off until the last moment, fighting the claim, month after month, by every legal trick, and by careful investments receiving a large interest, until at last, there being no possibility of longer prolonging, he pays the principal and the small interest allowed by the law.

The ground taken by Congress in this last refusal was that before suggested by Mr. Smith. It left, before any payment was necessary by the United States, two questions to be decided, both of which required the slow movements of the law. *The first:* Is the patent which has been issued, valid? *The second:* If valid, can anything be recovered from the government, as a government, from its infringement?

Let him "enforce his patent, like all other patentees, if he wishes anything," was the cry, "and when it is done, and judgment is rendered in his favor, and if compelled, and it is judged expedient, then the government will pay—but not before. This will be done, not as a reward to him, not as a stimulus to the ingenuity of others, not as an act of justice—but simply because, caught *stealing* like any common thief, and brought before the bar of justice, we must pay the fine imposed upon us for the misdemeanor; or if, looking upon our medical servants who do the infringing, not as belonging to us in their capacity as medical men, a judgment is procured against them—we must let them suffer the consequences of their indiscretion, and pay the penalty as private individuals. If this is done, however, and we are legally restrained, we may then condescend to pay Dr. Morton a fair price, in order to procure the right to use his property, which cannot be procured in any other way."

It is a glorious creed, and one well worthy an intelligent, prosperous, wealthy country like our own. A young and growing land, where the brains and the genius of her people are so necessary for her future greatness and advancement in all that is useful in science and art, such an inducement is at once offered to

an inventor to bring his discovery, if it is purely of public utility, to the notice of the government, when he knows in advance, that to procure any remuneration for any appropriation of it in the public service, he has only to prosecute and secure the fine from just as many *private individuals* as the government has officers bearing the same name.*

The following indignant tirade shows what effect the broaching of this creed produced upon the minds of some in Washington: "It is hardly credible—but the fact is so—that it should be suggested that the officers of the government, and not the government itself, should be required by the discoverer to make compensation for the use of his discovery. Will any honest man deliberately set up such a defence as this? How does the government act but by its own officers? For *whose benefit*, in *whose service*, do these medical officers use the discovery. Certainly *not for their own* benefit, or in their *own* service, but *in* the *public service* and *for the public service*. They are the mere agents of the government. Who furnishes them with the means of using the

* The singular reasoning of some of the members in forming this decision and the shifts to which they were driven to find a loop-hole in which to creep out, and thus escape giving a favorable solution to the question, is shown by the following intelligible and consistent note. The italics were, of course, added by the writer of this work in order that the force and simplicity of the argument may be more perfectly comprehended by the reader:

"HOUSE OF REPRESENTATIVES, 1*st July*, 1854.

"GENTLEMEN: Dr. Morton has requested me to sign a protest, subscribed by many members of Congress, requesting you to purchase the right to use for the army and navy, the anæsthetic agents, for which he holds a patent, or *to direct the surgeons of the army and navy to abstain from its use.* I have declined to sign the protest, and in so doing take this occasion to express *my opinion, that as a general rule, the government ought not to be permitted to infringe on the rights of any patentee, for the benefit of the government.*

"I am, with respect,

"Your obedient servant.

"Hon. JEFF. DAVIS, *Sec. of War*,

"Hon. JAS. C. DOBBIN, *Sec. of the Navy*."

The obvious conclusion is that this case belongs to the *rule* which is not *general*.

discovery, and takes the benefit of this use of it? Would any private man be listened to for a moment, if under such circumstances he should condescend to shift his responsibility upon his agent? Such a pretense cannot seriously be thought of as admissible. Besides its monstrous injustice to the discoverer, it would be most discreditable to the government, as toward its own officers, in attempting to thrust them into personal liability for an act done for the public service, and by the public authority, an attempt which would be as futile as disreputable."

The chicanery and meanness of this reasoning disgusted many of the friends of Dr. Morton. Finding that he was at a loss what to do, they advised him to take these "artful dodgers" at their word, and understand the directions given him in their literal signification, viz., as they had told him to enforce his patent—to do it. The first step, they said, was to protest against the use of it in the government service, and demand its abolition, as, perhaps, this act alone might bring the government to terms, and prevent any further trouble. Among the strongest advocates of this plan of protest, indeed, the one who first suggested it was the Hon. Mr. Stephens, of Georgia, who had always before been one of the bitterest opponents of Dr. Morton's claim upon Congress, upon the ground of a reward, and had always asserted that the only recompense that could ever be justly given, was the infringement of the patent. He now, for the same reasons, advised this course, saying, that "he considered a patent right as sacred as private property, and would exert his influence as far as any one to prevent the government from pirating."

Doubts existed in the minds of some as to whether the patent was valid, from its covering too much ground, from its being a new application of a well-known substance rather than a fresh discovery, and because since the time of his securing it other substances had been applied to the same purpose, which had not been mentioned in his specification, and the very existence of which he had not known at the time of making the demand. Others feared that if it was pressed by law, he could not get a judgment in his favor, because he had thrown open the use of his

discovery to the world, and had neglected for so many years to restrain its use in the public service.

In order to meet a contingency of this kind, Dr. Morton, shortly after procuring his patent, had drawn up by Messrs. Keller and Greenough, of Washington, an argument which set forth the reasons why the patent should hold good. This paper was carefully examined by Mr. Webster, who appended to it the following certificate:

"I concur in the foregoing opinion entirely, entertaining no doubt that Dr. Morton's discovery is a new and useful art, and as such the proper subject of a patent. "DANIEL WEBSTER."

"*Feb.* 19*th*, 1847."

When this question was first raised before Congress, a few years later, the matter was again reviewed by Mr. Carlisle, who, immediately beneath the certificate of Mr. Webster, wrote the following note:

"I have examined the question of the patentability of Dr. Morton's discovery of the anæsthetic properties of ether, and its applicability to surgical operations, and entertain no doubt as to the validity of the patent, or his exclusive title thereto. "J. M. CARLISLE."

"WASHINGTON, *January*, 1852."

Not satisfied with these evidences alone, Dr. Morton, as soon as this issue was again offered, requested some of the first jurists of the United States to go carefully over the subject, and review it, with especial reference to these very objections. This was fully done, and beneath the two certificates above given three more were added.

"BOSTON, *May* 17, 1854.

"Having long since carefully considered this question, I do not hesitate to concur in the opinion expressed by Mr. Webster.

"GEO. T. CURTIS."*

"BOSTON, *May* 12*th*, 1854.

"The discovery of the anæsthetic properties of the vapor of sulphuric ether, and the practical application thereof for the production of insensibility to pain, during the performance of surgical operations upon the

* Curtis on Patents.

human body as described in the letters patent of the United States to Dr. Wm. T. G. Morton, are in my opinion the proper subject matter for a patent.

"WILLIAM WHITING."

"BOSTON, *May 13th*, 1854.

"I concur entire in the opinions expressed by Mr. Webster, Mr. Curtis, and Mr. Whiting, and in the conclusions of the argument of Messrs. Keller and Greenough.

"R. CHOATE."

But in addition, Mr. Whiting and Mr. Curtis furnished two new and most elaborately prepared written opinions, which considered some of the opposing arguments which had arisen later in the controversy, more particularly as to whether the patent covered all anæsthetic substances, as well as sulphuric ether. The two extracts from their opinions give the main arguments in support of his position, and show their belief.

Mr Curtis wrote:

"In the case before you, the claim of the patentee covers the new effect or result of a state of insensibility to pain in surgical operations, produced by the application of etheric vapor to the lungs; and that vapor is directed to be obtained from a substance known as ether, which is a class comprehending several varieties. Now, it will not be by a mere change of the technical name of the substance employed, or by the use of what the Chief Justice calls '*a known equivalent power*,' which does not essentially vary the mode of operation, that the charge of infringement can be escaped. If by the inhalation of etheric vapor, or 'a known equivalent power,' as the means of producing insensibility to pain in surgical operations, such operations have been performed without pain, the new effect or result covered by the patent, has been produced by what the law regards as the same, or substantially the same means."

"*The means*," wrote Mr. Whiting, described by the patentee, by which his *improvement* in the art of surgery, is effected, or carried out in practice, is, the application of *a combination of the vapor of ether with atmospheric air, directly* "*through the lungs and air passages*," by inhalation. He declares that various descriptions of ether may be used, although he prefers *sulphuric* ether as the best.

"The *means* described include the vapor of *every species of ether*, and of every other article which is essentially the same as ether, however manufactured, or by whatever name it is known to the scientific world, if it produces the same result, by the same mode of application and operation, and is the same in its elemental or essential composition as ether.

"*Chloroform* is one of the ETHERS, and is classed among them in the *leading dispensatories of the United States.*

"In this case, the essential, elemental, and effective agent in producing the anæsthesia is the *alcohol;* whatever acid you distill it with, it is still *an ether.* One species of acid, is on the whole, the best; all acids answer more or less perfectly. It cannot deprive the inventor of the honor or the fruit of his invention to show that he had not TESTED every possible application of the great law he enunciated to the world, so long as it is clear that he first discovered and promulgated that law, and showed the mode of its application. To concede to Dr. Morton the highest merit, and the amplest reward, does not deprive Dr. Simpson of the credit due to him for following the path after the eminent American had pointed the way. It will not detract from the just applause due to those who may hereafter add to the number of anæsthetic agents, by testing the application of alcohol distilled with acids, not mentioned in the patent, and not even now known to chemists. But so long as anæsthesia is produced by the application of alcohol, distilled with any acid, in such a way as to constitute what is known to chemists as *an ether*, substantially in the manner and for the purposes set forth in the patent, so long will the IMPROVEMENT IN THE ART OF SURGERY, as described and claimed by the patentee, be practically applied and used, and Dr. Morton is not the less entitled to the liberal consideration of the government because he has made an improvement capable of still further development, and of producing benefits to mankind, which, however great, cannot yet be fully appreciated."

Fortified by these opinions, and thinking that a short time only would be required to bring the case to adjudication, and that this once done, it only remained for him to have his claim

established by the decision of the court to procure from the Government that recompense which had been so long delayed, Dr. Morton determined to take the course laid down for him. He accordingly prepared and issued the following protest. This paper was taken by some of his friends and examined, and on its being returned, he found that it had been endorsed by a large majority of both the Senate and House of Representatives, so that, in point of fact, it was made a Congressional recognition of his position.

PROTEST AND CONGRESSIONAL ENDORSEMENT.

"*To his Excellency the President of the United States, and the Hon. The Secretary of War, The Secretary of the Navy, and The Secretary of the Treasury of the United States:*

"The undersigned, William T. G. Morton, M. D., respectfully represents and makes known—That he, the undersigned, is the original and first discoverer of Practical Anæsthesia, and that he holds the letters patent of the United States for said discovery, and for certain means of applying the same; which said letters-patent bear date the twelfth day of November, in the year 1846, and do grant to the undersigned and his assigns, for the term of fourteen years from the date thereof, the exclusive right and liberty of using, and vending to others to be used, the said discovery of Practical Anæsthesia; to which said letters patent of record in the United States Patent Office, he respectfully refers.

"The undersigned, from motives which must be apparent from the nature of the subject, and relying upon the justice and magnanimity, first, of his own government, and then of all other civilized governments, has not hitherto exercised his legal rights by suits at law for damages, or injunctions to prevent the use of a discovery which has happily proved so beneficent to humanity. Nor would he now take any step by way of departure from his previous course, but that his forbearance is sought to be turned to his disadvantage, and objection is made to granting compensation by an act of Congress, on the ground that he ought to enforce his right under his patent against the officers of the United

States using his discovery in the military, naval and marine service, and against all persons violating the same.

"These considerations have determined the undersigned to adopt this course. He therefore, with great reluctance, respectfully asks, that the encouragement given to private individuals to violate his patent, through the non-observance thereof by the government itself, may be no longer continued, and that the honorable secretaries will either purchase the right to use said discovery in the respective branches of the public service, or that they will immediately issue the necessary orders to the medical officers and others under their official control to desist from further infringing his patent right in the premises.

"WM. T. G. MORTON, M. D.

"WASHINGTON, *June* 15, 1854."

"The undersigned members of the Senate and House of Representatives, concur in recommending that the right to use Dr. Morton's discovery, commonly called 'Practical Anæsthesia,' be purchased for the public service, or that the use thereof be discontinued, because the government is manifestly bound by its own patent, duly issued, to respect the said discovery as private property, and because '*private property*' ought not to be '*taken for public use without just compensation.*'"*

This was followed, as will be seen, by one hundred and fifty signatures. Of these, Mr. Mallory, Mr. Seward, and Mr. Weller, signed under the following qualification: "I respectfully suggest that the patentee of the anæsthetic agent, known as Dr. Morton's discovery, should receive from the United States a *liberal* compensation for their past and future use of it."

UNITED STATES SENATORS.

Tennessee.—James C. Jones, John Bell. *Iowa.*—Geo. W. Jones. *Alabama.*—Ben. Fitzpatrick, C. C. Clay, Jr. *Mississippi.*—A. G. Brown, S. Adams. *Illinois.*—James Shields, J. D. Bright. *Wisconsin.*—J. P. Walker, Henry Dodge. *Kentucky.*—J. B. Thompson. *Rhode Island.*—Charles T James, Philip Allen. *Maine.*—J. W. Williams, H. Hamlin. *Massachusetts.*—Charles Sumner, Julius Rockwell. *Pennsylvania.*—James Cooper. *Cali-*

* Constitution United States, Amendment, Article V.

fornia.—John B. Weller, W. M. Gwin. *Maryland.*—J. M. Clayton. *Arkansas.*—W. K. Sebastian, R. W. Johnson. *Texas.*—Sam Houston. *New-York.*—William H. Seward. *Kentucky.*—Arch. Dixon. *Louisiana.*—J. P. Benjamin. *Ohio.*—B. F. Wade, S. P. Chase. *Florida.*—S. R. Mallory, A. C. Dodge.

REPRESENTATIVES TO CONGRESS.

Maine.—Samuel P. Benson, Samuel Mayall, E. W. Farley, I. Washburn, Jr., T. J. D. Fuller. *Massachusetts.*—Samuel H. Walley, Alex. De Witt, Charles W. Upham, Thomas D. Eliot, J. Z. Goodrich, N. P. Banks, Jr., Edward Dickinson, J. Wiley Edmands, Samuel L. Crocker. *Vermont.*—Alvah Sabin. *Rhode Island.*—B. B. Thurston, Thomas Davis. *New-York.*—Thomas W. Cumming, T. R. Westbrook, John Wheeler, Gerrit Smith, Peter Rowe, William M. Tweed, Charles Hughes, G. Dean, Jared V. Peck, R. W. Peckham, Bishop Perkins, Henry Bennett, George Hastings, A. Oliver. *New-Jersey.*—A. C. M. Pennington, George Vail. *Louisiana.*—Roland Jones. *Pennsylvania.*—Hendrick B. Wright, Thomas B. Florence, W. H. Witte, Asa Packer, Ner Middleswarth, John Robbins, Jr., William Everhart, Jos. R. Chandler, J. Glancy Jones, C. M. Straub, C. B. Curtis, Thomas M. Howe. *Maryland.*—Jacob Shower. *Delaware.*—G. R. Riddle. *Ohio.*—H. H. Johnson, Thomas Richey, Lewis D. Campbell, W. R. Sapp, J. R. Giddings, Ed. Wade, M. H. Nichols, J. S. Harrison, J. L. Taylor, A. Harlan. *Illinois.*—W. A. Richardson, James Knox, E. B. Washburne, J. O. Norton, John Wentworth, Richard Yates, J. C. Allen, Willis Allen. *Michigan.*—H. L. Stevens. *North Carolina.*—Sion H. Rogers, W. S. Ashe, R. C. Puryear, John Kerr, H. M. Shaw. *South Carolina.*—James L. Orr, P. S. Brooks, W. W. Boyce, L. M. Keitt. *Georgia.*—D. A. Reese. *Alabama.*—James Abercromie, W. R. Smith, J. F. Dowdell, P. Phillips. *Florida.*—A. E. Maxwell. *Mississippi.*—William Barksdale, William S. Barry, D. B. Wright, W. P. Harris, O. R. Singleton. *Missouri.*—Samuel Caruthers, M. Oliver, John G. Miller, James J. Lindsley, A. W. Lamb. *Arkansas.*—A. B. Greenwood. *Tennessee.*—F. K. Zollicoffer, William Cullom, Em. Etheridge, R. M. Bugg, Fred. P. Stanton, N. G. Taylor, William M. Churchwell. *Kentucky.*—John C. Breckinridge, William Preston, L. M. Cox, R. H. Stanton, John M. Elliot, James S. Chrisman, C. S. Hill. *Michigan.*—D. Stuart. *Wisconsin.*—Ben. C. Eastman, John B. Macy, Daniel Wells, Jr. *Indiana.*—Daniel Mace. *Iowa.*—Bernhart Henn, J. P. Cook. *Texas.*—P. H. Bell. *California.*—J. A. McDougall, M. S. Latham, T. S. Russell.

This protest, in *manuscript*, with the signatures, was handed to the President by Col. Orr, of South Carolina, the present Speaker of the House. To each of the departments a *printed* copy was sent. A short time after this the following note and inclosed communication was received:

"NAVY DEPARTMENT,
"*July* 25, 1854.

"SIR:—The printed documents, &c., having relation to anæsthetic agents, which were left by you at the department, were referred to Surgeon Whelan, Chief of the Bureau of Medicine and Surgery, who has returned them with a letter containing some general expressions of the value and importance of such agents in medicine and surgery, a copy of which you will find inclosed, together with the printed papers referred to.

"I am, very respectfully, your obedient servant,
"T. C. DOBBIN.

"W. T. G. MORTON, M. D.,
"*National Hotel, Washington, D. C.*"

"NAVY DEPARTMENT, BUREAU OF MED. AND SURGERY,
"*July* 24, 1854.

"SIR:—I have the honor to acknowledge the receipt of your communication of the 21st inst., covering sundry printed documents on the subject of anæsthetic agents, submitted to the Navy Department by Dr. Morton, in which 'my views touching the subject-matter presented' are requested.

"Without desiring to involve myself in the controverted point of the discovery of anæsthetic agents, the objects of the department in its reference of the subject to this bureau, may possibly be subserved by some general expression of their value and importance, and the almost universal employment of these agents under different names, but nearly identical in effect and mode of administration, in a vast proportion of grave injuries and painful diseases.

"So general is the use of anæsthetic agents, such is the confidence of the profession in the uniformity and safety of their effects, that medicine and surgery would be divested of one of their ablest allies, if any circumstance should arise to deprive them of the employment of a class of pain-destroying agents whose popularity and appreciation keep pace with their diffusion. I regard the discovery of anæsthesia as one of more importance in many senses than any of those triumphs of genius which have conferred immortality and fortune on their authors, for it alone interests every condition and calling of humanity, and is as wide-spread in its application as the primal cause of pain, which it so effectually destroys.

"I believe there is scarce an intelligent physician or surgeon in either hemisphere who has not had occasion to use these agents, and whose judgment does not indorse their value.

"Sulphuric ether was adopted in the navy soon after the discovery of its peculiar properties; it still continues to be largely used, and for some years has formed an item in the 'allowance table of medicines.'

"In one of the documents accompanying your communication, a report by a select committee of the House of Representatives, first session, thirty-second Congress, pages 86 and 98, will be found two communications from

the then chief of the Bureau of Medicine and Surgery, which so fully embody my own opinions of the value and importance of anæsthetic agents, that I respectfully invite your attention to them. In the same document, pages 102, *et seq.*, are recorded the commendatory opinions of numerous medical officers of the navy.

"The character of anæsthetic agents seems now to be settled beyond dispute; their great importance in medicine and surgery is recognized by a unanimity of opinion rare indeed in medical matters; for throughout the profession anæsthesia is not inaptly hailed as one of the greatest boons conferred by science on suffering humanity.

"To estimate the pecuniary value of such a discovery, if I am called upon to do so, is not so easy a matter. If the action of the British Parliament in the case of Jenner, one of closest analogy, be received as a standard of judgment, the sum of one hundred thousand dollars, the amount named on several occasions by Congress, does not appear to me to be beyond the worth of this only panacea for most of the ills that flesh is heir to.

"Very respectfully, your obedient servant,

"W. WHELAN.

"Hon. J C. DOBBIN,
"*Secretary of the Navy.*"

This letter and the papers referred to were placed in the hands of Mr. Ash, Senator from South Carolina, who waited upon the Secretary of the Navy, to know what steps should next be taken, and what his wishes and intentions were for future proceedings. To his inquiries the Secretary replied, that from the communications he had received, he was satisfied of the value of the discovery, of the fact that it was extensively used in the navy, and that a patent had been issued, but the question with him was as to the validity of the patent. For information on this point, he said he wished to refer to the Attorney-General, and then if his opinion was favorable, that he was ready to pay his proportion for the past infringement and the future use. He suggested that, as the protest given him was printed, Dr. Morton should write a statement of what he wished, and the manner in which it would be the most pleasing for him to have the matter considered; adding, also, as the protest simply enjoined against the use of the discovery, that if the patent was offered for sale to the department, another form of document would have to be employed.

According to this suggestion, Dr. Morton at once prepared and sent the following letter:

"WASHINGTON CITY, *July 26th*, 1854.

"Hon. JAMES C. DOBBIN,

"*Secretary of the Navy:*

"The undersigned respectfully represents that he is the true and only proprietor of the discovery of practical anæsthesia, and as conclusive evidence of that fact, he herewith presents his letters patent, which he is advised and believes are issued in due form, and in strict compliance with the law.

"The undersigned is advised and verily believes, and so charges the fact to be, that the surgeons of the navy habitually use this agent in their public practice, in total disregard of the acknowledged legal rights of the undersigned.

"The foregoing facts being true, the undersigned respectfully, but earnestly, appeals to the Secretary of the Navy, to interpose his official authority for the protection of his individual rights, this being his only remedy against the use of his private property in the public service.

"The undersigned proposes to sell to the Secretary of the Navy, the right to use the aforesaid agent in perpetuity for a reasonable compensation.

"The undersigned has not undertaken to restrain the U. States surgeons in the use of this agent, first, because he thought the cause of humanity required its use, and secondly, because he has been unable to engage in interminable lawsuits with the Government. But the undersigned has never doubted that justice, though tardy, would ultimately reach him. The discovery was made in 1846, patented to the undersigned the same year; and now, in 1854, after eight years' delay, during all of which time the surgeons of the U. States have used the agent, without restraint, the undersigned comes forward, and asks for that justice to which he knows he is entitled, and which he is well satisfied a just and generous Government will not deny him.

"Respectfully, your ob't serv't,

"W. T. G. MORTON."

At the same time that the reference was made by the Secretary of the Navy to the Medical Bureau, the communication which had been handed the Secretary of War was referred by him to the Medical Bureau of the Army, as is shown by the following reply:

"SURGEON-GENERAL'S OFFICE, *July 17th*, 1854.

"SIR: A communication addressed to the President of the United States, and to the Secretaries of War, of the Navy, and of the Treasury, by Wil-

liam T. G. Morton, M. D., in which the writer, after representing that he holds letters patent of the United States, for the discovery of "Practical Anæsthesia," requests that the right to use that discovery in the public service be purchased, or that orders be issued to the medical and other officers under Government control, to desist from further infringing his patent right, having been referred to me for a report, I have the honor to submit the following remarks:

"The great importance and value of practical anæsthesia has been recognized and admitted by physicians and surgeons throughout the civilized world. For my own views on this point, and for evidence that washed sulphuric ether and other anæsthetic agents are regularly supplied to, and used by the medical officers of the army, you are respectfully referred to the inclosed copy of a communication, addressed by me to Dr. Morton, on the 1st of March, 1852, and your attention is also invited to the printed copies of communications from the late Chief of the Bureau of Medicine and Surgery in the navy, and other physicians and surgeons of distinction which are to be found in one of the pamphlets accompanying the present memorial of Dr. Morton.

"Confining my remarks more particularly to the special subject now presented by Dr. Morton, I have to state, that if it should satisfactorily appear to those having the ability and the authority to decide that the letters-patent held by Dr. Morton, do really cover the exclusive right of using, and selling to others to be used, those anæsthetic agents which have been successfully introduced into the practice of medicine and surgery for anæsthetic purposes, it would seem that the government of the United States, is bound in virtue of a provision in the Constitution to that effect, as well as in justice, to pay Dr. Morton for the use of his property heretofore, and either to desist from the further employment of those articles in the public service for anæsthetic purposes, or to acquire the legal right to their use by purchase.

"It appears on examination of a paper appended to Dr. Morton's communication, that 32 Senators and 118 members of the House of Representatives 'concur in recommending that the right to use Dr. Morton's discovery, commonly called 'practical anæsthesia,' be purchased for the public service, or that the use thereof be discontinued, because the government is manifestly bound by its own patent, duly issued, to respect the said discovery as private property, and because 'private property' ought not to be 'taken for public use without just compensation.'

"Presuming that the army, navy and commercial marine of the United States will not be debarred from all participation in the benefits arising from a discovery which has been pronounced, and in reality is, 'one of the greatest boons ever given to suffering man;' it may be proper, though I am not specially instructed so to do, to furnish some data upon which an estimate of the amount, which in my opinion, the patentee may reasonably

demand from the government for the past and future use of anæsthetic agents in the army, navy, marine corps, and marine hospitals of the United States.

"The British Parliament bestowed upon Dr. Jenner, the discoverer of vaccination (to which the discovery of practical anæsthesia may properly be compared) the sum of thirty thousand pounds. The Select Committee of Congress, who have had this subject under consideration, have recommended that the sum of one hundred thousand dollars be appropriated to Dr. Morton for the privilege of using the discovery.

"In both of those instances, it was intended, I believe, by the Governments respectively, to give benefits of the discovery to the world.

"Without, then, going into a calculation of the amount of compensation to be furnished from each branch of the public service, it is respectfully suggested 'that the sum of one hundred thousand dollars, as proposed by the Select Committee of the House of Representatives and also by the military and naval committees of the Senate, be awarded to the patentee for all his right in the premises, and that the benefits of the discovery be given to the world at large.

"I have the honor to be, very respectfully,

"Your obedient servant,

"THOMAS LAWSON,

"Hon. JEFF. DAVIS, *Sec. of War.*" "*Surgeon-General.*

Supposing that their reference for an opinion would be made by the Secretary of the Navy to the Attorney-General at once, Dr. Morton concluded to have some person confer with that official, who was more cognizant with the true merits of the case than any one then in Washington. He accordingly notified the Hon. Rufus Choate, who came at once to Washington. On arrival, and visiting Mr. Cushing, Mr. Choate was surprised to find that the matter had not been referred to him, as expected, and, on prosecuting his investigations still further, found that this had not been done, because the Secretary of War claimed priority of examination on account of the *manuscript* protest handed the President having been sent to him by that official before the Secretary of the Navy. Official etiquette demanded that he should be the first to reply; when, if the same manuscript protest was referred to the Navy Department, the reply, now ready, could be at once returned to the President.

The Attorney-General, Mr. Cushing, however, introduced Mr.

Choate to the Secretary of War. At the request of the secretary, Mr. Choate set himself to work to prepare a written opinion of the legal merits of the case. This carefully prepared document required some time for its completion, and, of course, was not done but at great expense. When finished it was dispatched to its destination with the accompanying note :

"WASHINGTON, *August 4th*, 1854.

"HON. JEFFERSON DAVIS, *Secretary of War :*

"SIR : I have thought it might so much facilitate the reading of the argument which you were kind enough to consent to receive from me, to print it, that I have done so, and in that form have the honor to transmit it. It is longer and less finished than I could have wished, but I am quite sure no imperfection in the statement of the case will prevent your patiently examining, and justly searching it. If difficulties occur to your mind in the course of the inquiry, which counsel could in any degree assist, in your judgment, in removing, I should be most gratified for an opportunity to make a supplementary suggestion thereon.

"It will be seen that I have confined myself strictly to the legal rights of Dr. Morton on the patent. In this view an infinite quantity of collateral matter is left untouched intentionally, not inadvertently. I have supposed it quite in course that the justice of government should either abstain from infringing it, or adequately compensate for its use. If he has not he ought to expect nothing from the Executive. Under this aspect, the rules of discussion which should govern and limit his advocate in a court of legal or equitable justice, ought to limit and govern him before that high tribunal whose judicial functions he invokes, and to whose judicial knowledge he submits his cause.

"I have the honor to be,

"Your obedient servant,

"RUFUS CHOATE."

The expectations which Dr. Morton had formed from this protest to the Executive, and the result which he hoped would follow from an establishment of the validity of his patent, to the satisfaction of the Departments were, that the several Departments would purchase of him the right to use the discovery, out of money appropriated for hospital purposes, each paying a fairly estimated proportion. In this belief he was borne out by previous cases analogous to his own, where the want of a particular article being imperative, it had been purchased without the

necessity of any special action of Congress.* All money appropriated for the use of the Departments, and not used within two years from the date of the appropriation, is returned to the treasury. By examination Dr. Morton had fonnd that the navy appropriation for the two sessions of '51-52, '52-53, "for surgeons' necessaries and appliances for the sick and hurt of the navy" had been $74,900, of this sum there was then left unused, $30,000. For the same time the army appropriation "for the medical and hospital departments," was $103,670, of which $37,000 was then remaining unused; consequently, at that moment, in those two departments alone, there was lying, for any use, the sum of $67,000. As he only anticipated that each should pay a proportion, there was nearly as much in these two as was required to purchase his whole patent.

Shortly after the rendition of the opinion by Mr. Choate, knowing that a little time would be required for the deliberation of the Executive, satisfied with the assurances given, and feeling sure that he would be officially notified of any fresh movement or change of opinion, Dr. Morton left Washington, and returned to Boston.

* List of patents purchased by the War Department, and used in the army of the United States:

Thomas Blanchard, For the use of several machines for turning or cutting irregular forms, constituting in the whole what is generally known as the Gun Stock Turning Machine	$18,921 50
J. H. Hall, For the right to make and use his patent breech-loading rifle and carbine, and all the machinery for making the same	37,553 32
Dr. E. Maynard, For the right to make and use his improved lock and percussion priming for small arms, and to apply the same to muskets	74,000 00
J. B. Hyde, For the right to make and use H. Hale's patented war rocket, to an unlimited extent for the public service	10,000 00
S. Mower & W. H. Scoville, For the right to make and use Gates' patent dies for cutting screws	750 00
Long's Bridge Patent, For the privilege	850 00
Total	$144,074 82

Through the rest of that summer, until the fall, he waited quietly but anxiously, expecting each day to receive some dispatch; but time passed, and none came. At last, from the state of indecision and inaction in which he lived, he found he could bear the suspense no longer, and again left for Washington, to see if upon the ground he could not procure some more decided and satisfactory information. But this he found not to be the case; Congress had adjourned, no one was there to whom he could apply, and after several days of fruitless search, he was about to return home in despair, when in the latter part of October he learnt from a reliable source that the matter had been referred by the Secretary of War to Professor Henry of the Smithsonian Institution, for information on certain scientific points, but especially as to whether chloroform should be considered as an ether, and consequently included under the patent.

Satisfied with this, and the expectation that the answer of Prof. Henry would soon be rendered, and that *at last* all the doubts of the War Department would be settled to its satisfaction, Dr. Morton again returned to his home to wait for the communication. But he waited in vain; no letter was received; and, tormented by a thousand conflicting fears and doubts, he concluded that his wisest plan would be to go back and stay at Washington, as at least if he could not hurry up the cumbersome movements of the body, he could at least feel sure that he should learn all that could be found out, and in consequence be more tranquil in mind than when living in his present state of suspense owing to his distance from the spot.

But the same obstacles to procuring any information existed at this as at his last visit, as these references were to a certain extent informal, and for private information he could not learn what he wished except by going directly to the parties themselves, which he of course did not wish to do, for fear of injuring his cause. Weeks past, until through a mutual friend of Prof. Henry and himself, he learned that the delay was occasioned by no report of the chemical questions having been returned, owing to a belief in the mind of Prof. Henry, that when his reply to the questions was wished, it would be officially demanded by the

Secretary of War, and also by the perplexing troubles which had just before occurred in the affairs of the Smithsonian Institution, and for the examination of which a special committee had been appointed by Congress.

By the aid of the same friend these difficulties were soon smoothed over, and at last, in February, 1855, Prof. Henry handed in his report. This being favorable to the claim of Dr. Morton, he supposed his troubles ended; but no! Lo and behold, it was necessary that other points should be settled to the satisfaction of the Secretary of War, and another reference was consequently necessary. This time it was for information on some legal points, and the reference was made to Major Lee, the judge advocate of the army. With true military promptness, this gentleman, interpreting the request to investigate the question as meaning him "to do it" at once, examined the matter, and returned his answer to the queries as quickly as it could be properly done. We do not know whether this alarming celerity of movement astonished and disappointed the Secretary of War, or whether its singularity and novelty rendered him desirous of emulating the example. The astonishing fact remains for the satisfaction of all those who hereafter may desire to secure an answer from a department, that within a very few days the original reference was returned to the President with all the documents, and a mass of opinions sufficient to satisfy any reasonable man.

During his residence at Washington, Dr. Morton had formed the acquaintance of the Hon. Mr. Witte, member from Pennsylvania, who now interested himself in Dr. Morton and his claim, and became a zealous supporter of his interests. Mr. Witte has himself stated the reasons of his thus forming the intimacy. "It is very probable," he wrote, "that but for the accidental circumstance of my being lodged next door to Dr. Morton, and thus having become well acquainted with him personally, I should not have taken the trouble to investigate his case as thoroughly as I think I have done," &c. From an intimate acquaintance with the President, Mr. Witte, finding that at last the power to act had again fallen into his hands, determined to see what he

could do to further matters, and accordingly waited upon the President to discover what the next step was likely to be.

At this interview, Mr. Witte explained how necessary it was for Dr. Morton that this business should be settled; he detailed his long trials, losses, and present position, and at last procured from the President a promise that at an interview appointed for the 15th of March, he would end all the doubts and troubles, giving at the same time as a reason for this delay the reorganization of the navy, which was then under consideration.

The interview did not take place until March 21, owing to a postponement. At this meeting, which occurred in the evening, the President read the report of the Secretary of War—said it was decided, but still appeared to him eminently satisfactory. He made full inquiries as to the anticipated plans of Dr. Morton, discussed the question whether it would be the best plan for him to issue an order to the Departments to at once discontinue the use of the discovery, or recommend that they should purchase the right to its use. He also inquired if Dr. Morton had a lawyer, or with whom the arrangement, if it took place, was to be made, adding that if he had not one, it would be a useless expense for him to then secure one, as the business could, if Dr. Morton was satisfied, be equally as well, if not better transacted, through Mr. Witte.

After hearing a full explanation by Mr. Witte that the object of Dr. Morton was to procure a fair compensation for the past violation, and an official recognition of his claim for use abroad, and that he would be satisfied with any fair proposition made, the President answered: "Well, I will talk it over with the Secretary of War, and see what is the best plan. I will see him to-night, so that I can give you an answer to-morrow."

On the next day the President conferred with the Secretary of War, and the day after—that is, on the 23d of March—Mr. Witte again called for the decision. With his pen in his hand, in readiness to write the order, which would at once have prevented all further recurrence of care and trial for Dr. Morton, the President paused, and turning to Mr. Witte, said: "There is a point which is not yet exactly clear to my mind, as to

whether the patent includes all anæsthetic substances—for instance, chloroform; and for a little information on this subject, and to prevent any more doubt, I think it will be better to refer it to the Attorney General, so that I can find out exactly what the patent does cover." At the same time, however, he said he wished it to be distinctly understood by Mr. Witte, and so expressed to Dr. Morton, "that he considered the validity of the patent fully established, also the fact that the government had used the discovery, and consequently must pay for it in the end; but that this little question which he mentioned, was the only existing difficulty in the way. This explanation he repeated twice.

On the communication of this agreeable assurance, Dr. Morton made up his mind to return home, and arranging his affairs there, not again come near the hateful city until compelled, in order to arrange the papers necessary for the final adjustment. The thought of any further trouble never flashed across his mind, used although he was to failure and sudden disappointment; and brimful of hope and expectation for at last a pleasant future, he felt as if his debts were already paid off, and a small surplus was deposited to his credit.

It was just at this time that he received his appointment as commissioner to the French Exposition; and that favorable opportunity for going abroad, in connection with various interests that needed his personal attendance there, induced him to decide upon going. It had been asserted in the minority report, which we have shown was probably influenced by the telegraph being made a scapegoat, that Baron von Humboldt had declared he would procure for Dr. Jackson the gold medal of the Berlin Academy, and the Secretary of State of the United States had informed Dr. Morton that Humboldt had written out for information on the subject. In order that the same injustice should not be done him which he had received by his not being able to go to Paris and assert his rights before the Institute of France, Mr. Webster, through whom Humboldt made his request, advised Dr. Morton to lose no time in going abroad to assert his claim, and sent him the following credential letter:

"*To the respective Diplomatic and Consular Agents of the United States in Europe.*

"DEPARTMENT OF STATE,
"*Washington, June* 23, 1852.

"DEAR SIR: This letter will be handed to you by William T. G. Morton, M. D., of Boston, the discoverer of etherization.

"He is about visiting Europe in relation to this subject, and I take pleasure in commending to your kindness and consideration a person who has done so much for the alleviation of human suffering; and I request that you will extend to him such friendly attentions as may conveniently be in your power. "Yours, truly, DANIEL WEBSTER."

The ex-minister to Berlin, then in Washington, also sent him the annexed letter:

"WASHINGTON, *June* 12, 1852.

"His Excellency ALEXANDER HUMBOLDT, &c., &c., &c.

"MY DEAR SIR: I beg leave to present to your acquaintance Dr. W. T. G. Morton, the discoverer of the anæsthetic properties of ether, who is the bearer of this note, and whose first object, when he arrives at Berlin, will be the desire of seeing the individual who, above all others, possesses the admiration and respect of the scientific men of America.

"I avail myself of the occasion to renew the obligations under which I was so often placed, when I was at Berlin, by your excellency's kindness and regard, and to subscribe myself again,

"Your excellency's very humble and obedient servant,
"A. J. DONELSON."

It must be apparent to every one who has perused these pages that the condition of his application before the United States government, was such that he could not leave for Europe.* But now, in addition to a long-cherished wish, the trip offered inducements pecuniarily. The war in the Crimea was at its height, and as his patent issued in England was still in force, it seemed highly probable that after its recognition and

* The advantage that was taken of Dr. Morton by his not being able to go abroad and assert his claims at the time these letters were given, will be appreciated when we inform the reader that, within a few days, Dr. Jackson has written Dr. Willard Parker, of New York, that he has triumphed over Morton in the Prussian investigation; that Baron Von Humboldt has examined the case, and pronounced in his favor, and in the same letter, suggested certain other honors that Dr. Jackson has had conferred upon him, from which he argues that Americans have no right to question his title to the discovery.

purchase by his own government, the same thing would be done by Great Britain. Accordingly, in order to pay some portion of his debts, which demanded immediate attention, and to be left as free from any cares or trammels during his absence as possible, he expressed his wish to some agricultural friends to lease his farm and sell the stock. Soon he received the following letter from just such a person as he would be willing to have occupy his model farm:

"COMMONWEALTH OF MASSACHUSETTS, Agricultural Department.
"STATE HOUSE, BOSTON, *Aug.* 17, 1855.

"DEAR SIR:—After seeing you on Monday last, I have thought much of the proposition you made with regard to the lease of your place during your absence in Europe. I have also talked it over with Capt. Davis, who has proposed to buy or hire with me; and on the whole, we think so favorably of it that we should be glad to have some definite plan proposed by you, as soon as convenient, i. e., the charge for rent, conditions, &c., &c. We shall be happy to give a definite proposal an early and very favorable consideration. The captain was greatly pleased with what he saw of your place, and though we have looked at several others with reference to a purchase, we should, I think, be willing to make some such arrangement as you suggest, if it can be made to the satisfaction of all concerned. Please let me hear from you as soon as convenient.

"Very truly, your obedient servant,

"CHARLES L. FLINT,
"*Secretary Board of Agriculture.*

"Dr. W. T. G. MORTON, *W. Needham.*"

In pursuance of the above request, an agreement was immediately signed, by which an apprisal of all the stock and farming utensils was to be made, and sold to Messrs. Flint and Davis at their valuation. This amounted to $4,500, although it was a low price. The agreement also provided for a lease of his farm in October for five hundred dollars and taxes per annum, besides certain improvements to be made. Everything looked comparatively bright. To be sure many of the debts which had been postponed by the creditors from their knowledge of his probable good fortune, still hung over him; but to counterbalance this, the chance of being able to pay them seemed so near.

But delay seemed the rule of his existence, now that the management was taken from his own hands; day followed day, and

weeks grew into months, but still no news either favorable or unfavorable, reached him from Washington. Appearances bore out the supposition that either his very existence was forgotten, or a complete paralysis had followed upon the last rather sudden and spasmodic action of the executive. In the midst of this suspense, the rumor was spread, and came to his ears, that the Secretary of War intended resigning his office, and again go into the Senate. This news was sufficiently alarming, because it necessitated either the closing of the business before the event happened, or else the traveling of the same ground again with his successor; a course which would demand a great amount of time and trouble, and might not in the end result even as favorably for him as then. Another trip to Washington seemed to offer the most flattering chances of relief for the emergency, but unfortunately he had not a cent with which to go, particularly if he should be compelled, as seemed probable from the past, to remain there for any length of time. Moreover, he was at a loss where to procure any money. Several of those who had before assisted him in his emergency felt as if they could now do no more, and drew tight their purse-strings.

All attempts to borrow or hire the money failing one after the other, and driven to desperation by his ill-success, and the increasing necessity of his departure, he at last, as a *dernier resort*, was compelled to pledge his cabinet of dental instruments, and surgical preparations, and library, which he had collected at a great expense, and had wisely determined to keep, even if obliged to part with everything else, in order to feel sure of being able to support his family. He was even obliged to include the gold medal that he had received from the French Academy. By this action the sum of $2,000 was raised, with which he immediately left Boston.

But all his energy and investigation at Washington did not bring the success anticipated. None of the inquiries made by him or his friends, who aided with all their power, elicited any satisfactory information as to what had been done. The almost uniform answer, when one could be procured, was, that a reference had been made to *some one* on *some point*, or a report

was expected, or else that the delay was perfectly accountable. Those who have themselves besieged the doors of those high in authority, to procure an answer or obtain a boon, can best imagine the numberless ways of putting off which can be devised, or the vague character which can be given as the answers to disagreeable questions.

Often from early morning until long past noon. Dr. Morton would dance attendance in the ante-room of some dignitary, without getting an audience, and if, at last, it was procured, the only satisfaction generally resulting, was sympathy with his case, or an expression of surprise that no movement had been made. Winter past, and spring came, consumed in this unavailing task, until, at last, his friend Mr. Witte, provoked beyond measure by the delay and apparent deception which had been practiced upon him, wrote the following letter to the President :

"SIR : The honorable the Attorney-General has this morning informed me that the government declines acting at this time, in the case of Dr. Morton, assigning as a reason that the patent covers too much, and also that the Secretary of War does not favorably construe the scientific question involved, in fact and effect denying the validity of the patent.

" As an answer to the first point it is only necessary to repeat the clear and unequivocal assurance made to me on more than one occasion by your excellency that the binding force and validity of the patent should not be disturbed, should not be adjudicated by the executive ministerial authority of the government ; but that it should be construed by the import obviously expressed by its face, and that Dr. Morton should be dealt with in the premises according to that spirit of partiality and rigid justice which it becomes the power of a great government to extend toward one of its own citizens.

" In reply to the objection, now for the first time presented by the Secretary of War, I beg leave to refer to his own report made to your excellency, in which, after discussing the scientific view of the case, he concludes with the clear expression of his opinion that Dr. Morton is the person to whom compensation ought to be made, and that the only point left undecided by him is the method in which, and the extent to which, payment ought to be made.

" With this report you expressed yourself so well satisfied that, upon one occasion, you, with pen in hand, did me the honor to counsel with me how the order to the departments not to use the agent (until settlement had been made) ought to be issued so as to best serve the interests of Dr. Morton, and thereby promote the equity of his claim.

"You were also on that occasion kind enough to desire me to say to Dr. Morton, that it would be better that he should not remain in Washington, but go home and rest contented with your assurance that the matter should be satisfactorily adjusted, and that you preferred to close the business with me rather than with a lawyer, at the same time giving him the advice not to spend his money in feeing lawyers, as there was no necessity, there being nothing in it which you and I could not settle.

"It was in this aspect of the case, relying upon your declaration and absolute promise, that I was induced to render to Dr. Morton pecuniary assistance which the necessities of his situation imperatively required, never dreaming that you would fail to do yourself, or to permit others to refuse doing an act, the justice and necessity of which you had more than once clearly admitted.

"And yet, now, after the lapse of *fourteen months* indueed to come here often, and always at the sacrifice of my interests at home, I am told that there is nothing in the case—that the government refuses to acknowledge the slightest equity in the claim, but shielding itself behind legal quibbles and scientific technicalities, coolly and complacently pronounces its former assurances and promises of compensation and justice as nothing; as nothing, because it refuses now to do what it repeatedly declared should be done.

"Well, sir, we must make submission, and we do submit in that feeling which injured helplessness makes to wrong and power.

"In conclusion, sir, permit me to express the regret that you did not in your intercourse with me upon the subject, deal with me in such a manner as to prevent me from involving myself (relying upon your assurances) largely to my pecuniary disadvantage, as well as to my personal mortification.

"I have the honor to be, your ob't serv't,

"WM. H. WITTE."

This sudden change in his prospects, with the ceaseless anxiety of his life for the past months, produced a second and alarming attack of illness, which confined him to his bed for several weeks, and from which he with difficulty recovered.

On emerging from his sick-room, in the early part of May, in company with Mr. Barksdale, of Mississippi, through whose agency it had been arranged, Dr. Morton held an audience with the President, and then, for the first time, learned the result of this two years of "circumlocution." Before paying any sum for the patent, the government wished a legal decision on the case; it had decided that a judgment should be procured against it, so that it should be compelled to make restitution. In reply

to the President, who asked why a suit had not been before brought, Dr. Morton replied, that owing to the peculiar nature of his discovery, he had never wished to take legal steps for redress; that he had all along been led to suppose that the government would in the end act honestly, and for the good of humanity do, of its own free will, an act of justice, to which it was repugnant to human nature to compel it. To this the President replied, that no feeling of that kind need deter him; that the prosecution was to be for its use in the public service, and a mere form, as the decision of the court would give them authority for immediate action. He then proposed that a suit should be commenced against some surgeon of the government service who had at some period used the discovery, and who should be instructed by the Executive to admit the use of any agent covered by his patent, and consequently Dr. Morton would be put to no trouble or expense to prove it; that the suit when brought should be considered as brought against the government, and not against the surgeon, and that the government should shoulder all the responsibility. He closed by saying, that when it was decided that the government was violating Dr. Morton's patent, the government would pay; and that Dr. Morton might take his choice as to the tribunal before which to have the case tried.

Thus, after nearly two years' hard labor, expense and anxiety, was the unlucky discoverer coolly informed that a retrograde movement had been made—that his prospects of success were not nearly so good as months before. It was precisely a repetition of the reply of Congress at the end of 1853, and of the arguments of 1852.

The advice of every one, if it had been asked in this emergency by Dr. Morton, would have been, that he should instantly commence the suit upon the terms proposed. But Dr. Morton having, ever since he saw how the profession regarded his procuring the patent, regretted it, he now found great difficulty in bringing his mind to a belief that the profession would, even now that he had been driven from the position they had so constantly asserted would be recognized by the government, justify him in so far availing himself of his patent as to enforce it by suit against the

government, by a service upon a member of the medical profession. Be this as it might, it was now too late; the constant delay had produced the effect anticipated, and he was now left powerless for any further action. It is a singular fact, but, I believe, a pretty universally acknowledged one, that a lawsuit is a very expensive plaything, and that, notwithstanding its signification, justice is one of the perquisites of the rich. At no period during his life was Dr. Morton in a worse condition to engage in legal hostilities. Every article of value which he had owned had been either sold or pledged for his debts. His stock and farming utensils had all been disposed of, as has been before stated; his farm and house had been mortgaged to their fullest extent, to raise the means for his past efforts; while he could not conscientiously expect any more advances from his friends, no matter how kind or ready to assist him they had been. He well knew, that when once the information should be bruited abroad that his only hopes for success lay in a lawsuit with the government, that many of his creditors, who had before been willing to postpone, upon the strong probability which had all along existed of a grant from Congress, would now be compelled, for their own protection, to see which could be the first to seize and sell his effects. His debts were much larger than he could pay, and the laws of Massachusetts are exceedingly severe upon a debtor. Where, then, was he to turn for the large amounts which would be required to carry on a lawsuit?

To say that he was discouraged would convey but a slight impression of his condition. For the first time since he appeared before the public as a claimant, his spirits and energy forsook him, and he completely gave up all hope, and acknowledged himself prostrated. His hopes demolished, his credit gone, a burden of debts, too, hung like a millstone round his neck for years, with no business from which even to supply his immediate necessities, certainly combined to form no cheerful prospect with which to return to his wife and children. Almost wild with anxiety and fear, Dr. Morton stopped on his way back to Boston, at Baltimore, Philadelphia, and New-York, to consult with his friends, and mature some plans for his future. At one moment

he decided to commence his professional career again, but this time in New-York; in this he was discouraged by the wise counsels given him. He was told that the mere fact of his having made the discovery would be of but little assistance; that at best it required time and friends to succeed, whereas he had not the means to hold out in the meantime or to occupy the position which was necessary in a large city. That his life for the past ten years, with its excitements and constant change, was a material obstacle, owing to the restless and unsettled habits which it had engendered. But the strongest argument used was on account of his health, which was wretched. "No," closed one of these kind advisers; "don't attempt it; don't think of it; for it will not result as you wish, and you will have the mortification of seeing others step over your head, simply because they have more money and better health." His next project was to go to Europe and establish himself as a dentist in some capital; but the same objections held good for this proposal as for the others, with the addition that he was unacquainted with foreign languages. At a former period when his business was ruined and he was undecided what he should do, he wrote a letter to the minister of the church to which he belongs in Boston, asking advice, and received the following letter:

"MY DEAR SIR: I deeply regret to learn by your note, that while you have been conferring benefits upon the human race, your own affairs have become embarrassed. I have given the subject submitted as much consideration as time admits, and the sum of my opinion is this: you recognize, and every honest man recognizes, the obligation to pay debts fairly contracted, so far as he is able. Under present circumstances that ability, unhappily, does not exist; and more, the distractions growing out of the fact, seriously impede your efforts to cancel them. I believe it would be entirely right, and the best thing for your creditors, for you to avail yourself of the benefit of the Bankrupt Act, and thus place yourself where you could labor unembarrassed for the extinction of your debts. The obligation to pay does not cease in passing through the court, but I think the freedom from perpetual interference would enable you, in quietly following your professional labors eventually to square up the past, and secure for yourself a competence, as you have secured an honorable name as a benefactor of man.

"With the deepest sympathy, I remain,

"Your affectionate pastor,

"WM. M. ROGERS."

Dr. Morton, however, determined never to take shelter under the strong arm of the law voluntarily, and finally struggled through the terrible pressure he was then under; but now he was afraid, from a correspondence with his lawyers, that they would force him to do so. From a consultation with Mr. Soyer and Mr. Guild, eminent lawyers of Boston, then in Washington, and from another eminent member of the Boston bar, whom he met in New-York, John P. Putnam, he was almost afraid to return to Boston on account of the long and intricate proceedings necessary before his liberty could be sufficiently secured to enable him to prosecute his profession to advantage. Finding that nothing was to be gained by remaining away, and that he must bear the brunt of his misfortunes, he concluded to return, and in the bosom of his family, and encouraged by the sympathy of his wife, children, and real friends, endeavor to find some alleviation for his troubles.

Instantly on his arrival at his own home, the result which he had anticipated followed. No sooner was it noised about that he had suffered defeat, and that his only hopes lay in a legal contest, than the race for his despoliation commenced, a perfect *sauve qui peut*, in which the property, not the person, was to be preserved, followed. Attachments were at once served upon everything belonging to him, and keepers put in charge. Three writs, one to the amount of $10,000, were served in one day. Executions and sales followed of everything which could be laid hold of, but the result was a disappointment; the receipts were not nearly enough to meet the demands. As a consequence of this irritating discovery, angry feelings against him personally followed; he was blamed for having been extravagant. Many of those who would have been the first to congratulate him upon his success were the foremost to exclaim against him in his misfortune, and say that it was a righteous retribution upon him for his folly. All the old stories to his injury and discredit were revived, until at last to such a pitch did the excitement arrive, that the members of his family were insulted as if participants in his ill-doing, and his children were hooted at as they passed through the streets by little urchins who acted true to the maxim

"As the old cock crows the young ones learn." So rapidly was all his property taken from him, and to such a low ebb did his credit run on account of this diffusion of slander, that at last he was pushed even to procure the common necessaries of life. During one week in July the family were even in want of the simple articles of food, so that he was compelled with his own hands to load up a cart, which luckily, although in charge of the sheriff, was still at his disposal, with wood from his pile, and carry it to a neighboring bakery, and exchange it for half a barrel of biscuit. For weeks and weeks he was forced to suffer on, because powerless; no relief was afforded this perfect inaction, unless by the commencement of some new process, or the repetition of the call for his presence to answer to some fresh suit.

CHAPTER XXII.

ACTION OF THE BENEVOLENT.

"Inaction now is crime."—*William H. Burleigh.*

One morning late in the fall of 1856, as Dr. Morton, who was in the midst of his legal and pecuniary difficulties, and besieged on all sides by duns, writs, constables, and all the paraphernalia employed against the unfortunate, was walking slowly down Washington-street, he suddenly met Mr. Amos A. Lawrence—the son of that man whose name causes the cheek of every true Bostonian to flush with pride—whom he had not before seen for some time. This gentleman had several times before assisted him in various ways, and, from his position as one of the trustees of the Massachusetts General Hospital, and his consequent knowledge of the merits of the case, had been able to render him many important services. After a cheerful salutation, Mr. Lawrence inquired of Dr. Morton how affairs were progressing with him.

"Badly enough," was the reply.

"Badly enough; why, what do you mean?" asked Mr. Lawrence.

A few words of explanation in answer to this question were all that were necessary to give him an inkling of the true state of affairs, and to excite a desire on his part to know more. He therefore proposed an adjournment to his office, which was near by, where more at their leisure they could talk over the case. On arrival Dr Morton narrated in detail each event as it had happened; explained certain causes more to the satisfaction of Mr. Lawrence, and then stated the present trying difficulties of

his position, his despondency, and his doubts and fears for the future. Mr. Lawrence was much impressed by what he had heard, and after the close of the story, promised to see Dr. Morton again, and go more thoroughly into the examination, and try to devise some means of relief.

At the instigation of Mr. Lawrence, between this interview and the next with Dr. Morton, a meeting of physicians and merchants was called, composed of some of the wealthiest and most philanthropic from among the many in Boston, before whom the case of Dr. Morton was laid, and the proposition made that some steps should be taken to extricate him from his difficulties. During that winter and the ensuing spring, several other meetings were held, at each of which some progress was made toward a solution and a remedy. But this was but slow, the complicated and desperate condition of Dr. Morton's affairs was not to be arranged in a moment, and it was determined by them that if anything was done, it should this time be done effectually.

Finally, during the winter and spring of 1857, the plan of a "National testimonial" was agreed upon, as it was argued that as the benefits had been shared by each individual throughout the country, the recognition to the discoverer should come in the same extended manner. It was decided that Boston should not be looked upon as directing, or as the main agent, in the movement, but simply as making the initiatory proposition, which is necessary in making any great action, no matter how spontaneous. To inaugurate this movement, and to form a basis upon which to rest in proposing the plan to others, and in order to certify to the character and dignity of the scheme in case it should meet with the attention of the benevolent in other states, a few of the fellow-citizens of the discoverer determined to inaugurate by their names and subscription, the following

APPEAL

To the Patrons of Science and the Friends of Humanity.

TO THE PUBLIC.

The power of etheric vapors to produce a safe insensibility to pain during surgical operations, and on other occasions of great

physical suffering, is one of the most beneficent discoveries that has been conferred upon the human race. It is generally conceded that Dr. W. T. G. Morton, of Boston, was instrumental in presenting this fact to the world. Nearly the whole of the medical profession of this city, in the midst of whom the discovery was made, together with other bodies of competent persons, who have investigated its origin, have, after careful scrutiny, concurred in assigning this merit to Dr. Morton, and public opinion has long since affirmed their verdict.

It is not necessary to enter in detail into the circumstances which have prevented Dr. Morton from receiving any pecuniary benefit from this discovery.

The fact is certain, that Dr. Morton has been an instrument, under Divine Providence, of introducing to the world one of the most remarkable discoveries of this, or any other age, and that he has received no reward for it but the consciousness of having done so.

We are sure that we interpret the feelings of thousands, when we say that a substantial national memorial should be presented to Dr. Morton.

How often has the poor sufferer risen from beneath the surgeon's knife, with nerves untouched by the slightest sensation of the torture that would otherwise have been his! How often has the mother passed in unconscious slumber, through "the perils of child-birth," to wake to her new happiness, without one memory of its agonies, and breathed, with the prayer of thanksgiving to God, a thought of him,—to her, perhaps, the unknown discoverer,—whose happy conception, perseverance, and courage, first established the astonishing fact, that the human frame may suffer all the conditions, and not one of the sensations of pain! What has already occurred throughout the whole world, since this discovery was made,—in hospitals, in private chambers of the sick, on fields of battle, on the ocean, and on land,—wherever humanity undergoes the "ills that flesh is heir to,"—is to occur through countless ages, while the race is left upon earth! And yet, year rolls after year, and the spontaneous gratitude that is felt and uttered, whenever and wherever this

great discovery is used or contemplated, finds no permanent voice, because no efforts are made to concentrate and direct it to its object.

We propose that such efforts be now made. We think that the people of the United States, acting individually, should do what their government has neglected, or been unable to do. National testimonials, established by the voluntary contributions of individuals, have been adopted in all countries, to mark the public sense of services to the human family, especially when such services have reflected honor and distinction upon the country where they have been performed.

We propose that a National Subscription be instituted, the avails of which shall be paid into the hands of Thomas B. Curtis and Charles H. Mills, Esquires, as Trustees—to be held, appropriated, and invested upon such trusts, and for such uses, for the benefit of Dr. Morton, as the Trustees may determine.

James Jackson, Jacob Bigelow, S. D. Townsend, John Jeffries, Edward Reynolds, John Homans, M. S. Perry, O. W. Holmes, John Ware, George Hayward, J. Mason Warren, Henry J. Bigelow, Charles G. Putnam, Richard H. Dana, Jr., Alexander H. Vinton, S. K. Lothrop, John B. Fitzpatrick (Bishop of Boston), William H. Prescott, N. Adams, Rufus Choate, Charles P. Curtis, F. C. Loring, G. S. Hillard, William Dehon, Benjamin Peirce, F. D. Huntington, Henry W. Longfellow, Jared Sparks, R. B. Forbes, P. W. Chandler, Alexander H. Rice, Robert C. Winthrop.

The leading medical men having so recently and fully signed a petition to Congress, as seen at page 357, recommending Dr. Morton's claims, it was not thought necessary that this paper should be now more fully signed.

This appeal was sent to the Trustees of the Massachusetts General Hospital and the Massachusetts Charitable Eye and Ear Infirmary, who, upon its receipt, at once proceeded to take the following action upon it:

MASSACHUSETTS GENERAL HOSPITAL.

The undersigned, to whom a proposition that the Trustees of this hospital should contribute to a fund to be established for the benefit of Dr. Morton, was referred, report:

That Dr. Morton is known to have been chiefly instrumental in conferring a great good upon his race—

That his agency in a discovery, which has already relieved multitudes from suffering, has yielded to him no pecuniary compensation for its acknowledged benefits, but has, on the contrary, been attended by many sacrifices—

That his only rewards have been the consciousness of a great service rendered, and a title to fame—

That the government of the country has omitted to provide a proper reward—

That justice entitles him to remuneration, and that the only mode in which it seems to be probable that the means of doing that justice can be furnished, is, through voluntary contributions from the philanthropic, in some such form as is now suggested.

Therefore, your committee think that the object is proper, and that its early attainment is to be desired; so that the only question is whether the trustees may properly contribute of the funds of this institution for its promotion.

No ordinary circumstances would justify the trustees, should they apply any portion of the funds under their control to any object other than the direct relief of the sick under their care.

But the relations between Dr. Morton and this hospital, in regard to the great discovery which prompts the proposed memorial, are peculiar.

The first important surgical operation, to which that discovery was applied, was performed within its walls, at his instance.

At a time when he supposed that his agency in it would be pecuniarily rewarded by those who should derive benefits from it, he conferred upon this hospital the right to profit by it in all cases without any charge.

We have been and shall continue to be benefited by it, to an extent which no reasonable amount of money could compensate for.

Dr. Morton and his friends think that the refusal of the trustees of the Massachusetts General Hospital to subscribe to the contemplated fund would prevent its foundation. In view of all the circumstances, your committee think that apprehension well founded.

When individuals have made bequests, or rendered remarkable services to the institution, the trustees have deemed it proper to expend such sums as may have been required, to procure appropriate memorials of them, to be preserved within the walls of the hospital; and your committee think that the propriety of a subscription toward the fund, which it is now proposed to establish for the benefit of Dr. Morton, would rest safely on the grounds which have been found sufficient in such cases.

They, therefore, recommend that the subjoined vote be passed.

J. THOMAS STEVENSON,
JOHN LOWELL,
Committee.

BOSTON, *February* 22, 1857.

Voted, That the Chairman of this Board be requested to subscribe, on behalf of the Massachusetts General Hospital, *one thousand dollars* toward the fund which it is proposed to establish for the benefit of Dr. W. T. G. Morton, as a memorial of the great service which that gentleman has rendered to science and to humanity, in connection with the discovery of the uses of ether.

Trustees.—Henry B. Rogers, John P. Bigelow, James B. Bradlee, Wm. S. Bullard, William J. Dale, Wm. W. Greenough, Thomas Lamb, John Lowell, Robert M. Mason, Charles H. Mills, J. Thomas Stevenson, Edward Wigglesworth.

Voted, That the Secretary of this Board be authorized to subscribe, on behalf of the Massachusetts Charitable Eye and Ear Infirmary, *two hundred dollars* toward the fund to be raised for the benefit of Dt. W. T. G. Morton, as a recognition of the greatest discovery of modern times, and an acknowledgment of the great service which that gentleman has rendered to science and humanity, by the discovery of the uses of ether.

Trustees.—J. H. Wolcott, J. W. Edmands, Henry Rice, Dr. E. Reynolds, G. H. Shaw, C. H. Mills, R. W. Hooper, Moses Grant, Jas. Lawrence, Dr. S. D. Townsend, J. A. Blanchard.

THEODORE FROTHINGHAM, *Secretary.*

As iniatory to a more extended demonstration the following signatures and sums were at once procured:

Amos A. Lawrence, $1,000; John P. Cushing, $500; John Gardner, $200; Thomas B. Curtis, N. I. Bowditch, Charles H. Mills, John J. May, Samuel A. Eliot, David Sears, Ed. Wigglesworth, Jas. Bowdoin Bradlee, Josiah Bradlee, James Lawrence, J. A. Lowell, Thomas Lee, J. M. Forbes, one hundred dollars, each.

Moses Grant, William Ropes, Henry W. Longfellow, Christopher C. Chadwick, Wm. Powell Perkins, Samuel A. Appleton, Henry Timmins, Charles Armory, W. S. Bullard, Wm. H. Prescott, fifty dollars each.

It was the intention of those who had so generously volunteered their time and money, and whose names have been given, to have at once procured the coöperation of other cities, and, acting from this small commencement, to have secured the sanction of the various States for a more extended movement; but, unhappily, the panic of last October nipped in the bud this benevolent design, and disarranged the plans by compelling many of the most active supporters to give all their time and attention to their own affairs, to the neglect of Dr. Morton. But the original wish still remains in abeyance, and with the zeal and generosity which has marked the proceedings thus far, it is not to be doubted that it will be resuscitated more vigorously than ever.

During the last summer, the Governor of Massachusetts, N. P. Banks, late Speaker of the House of Representatives, wrote to his Excellency the Governor of New York, that "A national subscription, intended as an acknowledgment of his [Dr. Morton's] great public service in the discovery, and introduction to common use, of this important power [sulphuric ether], has been commenced here, under the auspices of gentlemen of the highest professional standing, who were themselves witnesses of the successive steps through which this discovery was made. They are men whose names alone are a guarantee that their statements may be relied upon, and no words of mine can aid in giving their opinion strength. In addition to that of merchants and professional men of the first eminence, you will find in the publication made by the trustees of the fund to be raised, a petition to the President, signed by a majority of the members of the thirty-third Congress, which is, I think, to be regarded as an evidence

of the very general estimate which was made of the claims of Dr. Morton upon the government and the public.

"The subscription has been liberally commenced in Boston, but it is thought that other cities that have been benefited hy the discovery should participate in the recognition of the merits of the discoverer, and in making him appropriate honors. I hope that other cities may imitate the example of Boston in this respect, and contribute something to aid, and, I may say, relieve, one who is certainly deserving of great credit, and who has, as yet, received no advantage from his discovery."

This letter was read at a meeting of the Medical and Surgical Club, held at the house of Dr. Wilkes, who married a niece of Governor King.

Letters were received by members of the profession here from numerous medical gentlemen in Boston. Among them we quote from the following: Dr. James Jackson, wrote to George Ripley, one of the editors of the *American Cyclopedia:* "To him [Dr. Morton] the world owes at least the introduction for useful purposes of sulphuric ether, by employment of which by inhalation, he *proved* that insensibility might be produced in a human subject with safety, and be maintained during powerful surgical operations. It is now more than eleven years since he made this discovery known. At the present day the benefit of it is known throughout the civilized portion of the world. Every day, the persons who use the article must be counted by thousands. If the knowledge of it could be lost, millions and millions of dollars could be raised for the recovery of it. Every man is liable to the misfortunes which would make the use of it invaluable to him.

"Is not something due to the gentleman who introduced the use of ether for the use of the present and all future generations of men? Shall it be recorded in history, that he lived on a very small income, while millions were blessing his discovery? Should he not be repaid in some substantial manner? As I understand the matter, his business has been destroyed? strange to say, and he needs aid. May I ask you to make his case known in New-York, in the hope that he may receive the evidence of such gratitude as is due to him?"

Dr. Jacob Bigelow, President of the Academy of Arts and Sciences, wrote to Dr. Parker, that "I hope the community who are daily deriving the benefit of his [Dr. Morton's] inestimable discovery, will not be insensible to the debt they owe him. He is the only man, without whom, the world would at this day have wanted the blessing of anæsthetic inhalation."

Dr. O. W. Holmes, wrote to Willard Parker, M. D.: "It gives me great pleasure to add my name to that of my friends, who have recommended the claims of Dr. W. T. G. Morton, to your favorable notice."

"A surgeon in great business, like yourself, must know well what we owe to the discoverer of the use of ether in surgery. The part Dr. Morton took in that, is matter of history, and I cannot but think you will agree with us in believing, that but for his happy audacity we should have waited an indefinite period for the discovery.

"I write this time, therefore, to request your kind consideration of the subject, that will be presented to your notice, not professing to have any personal claim upon your valuable time, but considering that your position, entitles you to the honor of being among the foremost in every movement, involving the interest of science and humanity."

Dr. John Jeffries, wrote to Willard Parker, M. D.: "Of the justice of his [Dr. Morton's] claim, as the person by whom this great benefaction was conferred on the medical profession, and upon mankind, I entertain no doubt; and consequently, of the weight of obligations which physicians and societies at large, are under to him for this benefit. A public benefaction has been set on foot for Dr. Morton, who is himself poor, and made so in some measure, in consequence of his agency in providing a blessing for mankind. It has my full approbation and best wishes for its success. I would also express my confidence in the plan and details by which it is to be carried out, arising from the high character for intelligence and integrity of the gentlemen under whose auspices it is to be conducted. Whatever you may please to do to aid, will be on the side of justice and humanity."

Dr. S. D. Townsend, one of the Surgeons of Massachusetts General Hospital, wrote to Willard Parker, M. D.: "Having

been conversant with the use of ether from the first day of its introduction, I have always given to Dr. Morton the credit of being the author of its extensive employment in our profession. The object of this movement is to obtain subscriptions to a fund, to be placed in the hands of trustees, for his [Dr. Morton's] benefit, which is to be raised from different hospitals in the country, that have been so greatly benefited by its use. Dr. Morton's pecuniary circumstances have been greatly reduced, by the exclusive attentions he has paid to this object, having entirely broken up the business which he was extensively engaged in, and he needs the aid of all professional men, who have been so greatly benefited by this discovery. I am sure I can rely upon you to give it all the assistance which your prominent situation can afford him."

Inspired by the same feelings which had prompted the practitioners of the city of the discovery, some of the most influential here determined to instigate a similar action. Meetings were immediately held at the houses of Drs. Mott and Watson, in order to test the sentiment upon the subject, and to prove that even if the government had been neglectful, and the public, from its ignorance of the true value and merits of the case, had hitherto seemed unappreciative and apathetic, that his own profession were fully alive to the greatness of the discovery, and the sacrifices made by the discoverer. A meeting of the medical profession "interested in raising a national testimonial for the benefit of the discoverer of anæsthesia" was called. This was held on the 24th of June, at the residence of Dr. Willard Parker. At this it was moved and carried, "that a committee of medical men be appointed to confer with gentlemen out of the profession as to the most efficient means for accomplishing the end in view." The committee appointed consisted of Drs. John W. Francis, Valentine Mott, James R. Wood, Willard Parker, James Minor, Gurdon Buck, John Watson, Marion Sims, and the president, Dr. Joseph W. Smith. A committee was likewise chosen, consisting of "one from the medical board of each public charity of the city and its vicinity, to wait upon the boards directing the various institutions, and solicit donations in behalf of the object." The following appointments were made: *New-York Hospital*—Dr.

Gurdon Buck; *Bellevue Hospital*—Dr. James R. Wood; *Emigrants' Hospital*—Dr. J. M. Carnochan; *St. Vincent's Hospital*—Dr. William H. Van Buren; *St. Luke's Hospital*—Dr. Benjamin Ogden; *Jews' Hospital*—Dr. J. Moses; *Women's Hospital*—Dr. J. M. Sims; *Child's Hospital*—Dr. G. T. Elliot, Jr.; *Quarantine Hospital*—Dr. Elisha Harris; *New-York Lying-in Asylum*—Dr. T. F. Cock; *Brooklyn City Hospital*—Dr. Hutchinson; *Long Island College Hospital*—Dr. Ayres; *Colored Home*—Dr. Fitch; *New-York Eye Infirmary*—Dr. Dubois; *New York Ophthalmic Hospital*—Dr. Garrish.

In order to exert as much influence in favor of the movement as possible, and to show to the public what is the true and conscientious belief of those who are the most competent to judge, and in order to prove in how high an estimation is the value of the discovery held by those who each day are called upon to witness its effects, the following paper was prepared, which was circulated for the signatures of the medical gentlemen connected with the institutions of New York and the Academy of Medicine:

APPEAL TO THE PUBLIC
BY
MEMBERS OF THE MEDICAL PROFESSION
IN
NEW-YORK.

The Medical Profession have, from the earliest ages, felt the need of some safe and efficient agent for annulling pain.

The ordinary anodynes long in use have never supplied this deficiency, and the various new agents which, within the past sixty or eighty years, have been substituted for these, have, until recently, proved either too dangerous or too unreliable to be employed in general practice.

Wine and strong alcoholic drinks, given in such quantity as to induce intoxication, were occasionally employed, even before the commencement of the present century, for rendering persons insensible to the pain of surgical operations. With the same end in view, some surgeons, addressing the intellect, were in the habit of exciting sudden fear, alarm, or astonishment, to divert the attention of their patients. Others, again, resorted to the uncer-

tain and inexplicable influence of mesmerism. Still more recently, the nitrous oxide gas, administered by inhalation, has, as originally suggested by Sir Humphrey Davy, been employed for producing temporary loss of consciousness. But this too, after a fair trial, has failed, and the hopes founded upon it have proved nugatory and delusive. So that up to this point, the want of a reliable agent for rendering the human body insensible to pain—a want so long felt, and to obviate which so many fruitless efforts had been made—was still to be supplied. That want, however, has since been fully met.

The first great triumph of placing in the hands of the profession an agent capable of rendering the patient safely, and, at will, utterly insensible to the stroke of the surgeon's knife, was in detecting and establishing by experiment the anæsthetic powers of sulphuric ether. For this discovery the world is indebted to Dr. Wm. T. G. Morton, of Boston.

Whatever may have been the steps preliminary to this remarkable discovery, Dr. Morton's claim to it is established beyond all controversy, and his merit in this respect, with those who have taken the trouble to inform themselves on the subject, can be no longer a question of dispute.

Nor can the importance of his early investigations and experiments, under the guidance of Providence, in reference to the properties and uses of ether, be, at the present day, too highly estimated. The introduction of this agent as an anæsthetic, and of the various other agents of the same class, as chloroform, amyline, and the like, to which this directly led, has done more for the mitigation of human suffering than any other discovery, with the exception, perhaps, of vaccination, for which the world is indebted to medical science in either ancient or modern times.

The benefit derived from these newly-discovered agents is not confined to the hardier procedures of operative surgery. They are now in hourly requisition in every quarter of the civilized world for suspending all sense of suffering during the severest throes of child-birth, for arresting convulsions, for relaxing spasms, for suspending volition and overcoming muscular resist-

ance during the reduction of fractures and dislocations, for allaying restlessness, wakefulness, and morbid excitability ; even for assuaging the pangs of approaching dissolution, not to speak of the almost innumerable minor uses to which they are applied, as well in the investigation as in the treatment of disease.

In view of these advantages from the use of anæsthetics, we feel that Dr. Morton—the first to demonstrate their safety and efficiency, and to establish them in general practice—has conferred a boon upon humanity as imperishable as it is important, and one of such a character as to entitle him to rank among the benefactors of mankind.

As members of the medical profession in the city of New-York, and as physicians and surgeons to the various hospitals and infirmaries in this city, and its vicinity, we therefore rejoice to learn that a movement has been commenced by our professional brethren and other gentlemen of Boston, to establish a national testimonial, by voluntary subscription, for the benefit of Dr. Morton. In this movement, after full deliberation and consultation among ourselves, we are ready to participate in accordance with the plan of those who originated it, which plan is set forth by the gentlemen of Boston in their appeal.

Under governments more arbitrary and restrictive than our own, but more capable of meeting the claims of science, the awards of merit are not usually left, as with us, to the bounty of private individuals. Discoveries and improvements of infinitely less importance to science or humanity than that for which we are indebted to Dr. Morton, are at the courts of Europe promptly met by national honors and emoluments.

In our own country, it is true, the national government, after carefully investigating Dr. Morton's claims, has acknowledged the benefit he has conferred upon it, but has nevertheless failed, as yet, to supply the recompense.

What the government in this respect has failed to do, it is to be hoped, for the credit of the American name, and from the noble individual examples already set, that the discerning and liberal people of the United States will not leave entirely unaccomplished.

With these remarks we have the honor of recommending Dr. Morton's claims for remuneration to the consideration of our fellow-citizens, and of soliciting their subscriptions in behalf of the fund which it is proposed to raise for his benefit.

PHYSICIANS AND SURGEONS

Of the New-York Hospital and Bloomingdale Asylum.

Consulting Physician.—Thomas Cock, M. D. *Attending Physicians.*—Joseph M. Smith, M, D., John H, Griscom, M. D., Henry D. Bulkley, M. D., Thomas F. Cock, M. D. *Consulting Surgeons.*—Valentine Mott, M. D., Alex. H. Stevens, M. D., Rich'd K. Hoffman, M. D., Alfred C. Post, M. D. *Attending Surgeons.*—Gurdon Buck, M. D., John Watson, M. D. *Attending Surgeons.*—Thaddeus M. Halsted, M. D., Thomas M. Markoe, M. D., Wm. H. Van Buren, M. D., Willard Parker, M. D.

PHYSICIANS AND SURGEONS

Of Bellevue Hospital, and of the other Institutions under the charge of the Board of Governors of the Alms House.

Consulting Physicians.—John W. Francis, M. D., Isaac Wood, M. D. *Attending Physicians*—B. W. McCready, M. D., John T. Metcalfe, M. D., Isaac E. Taylor, M. D. B. Fordyce Barker, M. D., Geo. T. Elliot, M. D. *Consulting Surgeons.*—Valentine Mott, M. D., Alex. H. Stevens, M, D. *Attending Surgeons.*—James R. Wood, M. D., Chas. D. Smith, M. D., Lewis A. Sayre, M. D., J. J. Crane, M. D., W. Parker, M. D., Stephen Smith, M. D.

Nursery Hospital, Randall's Island.

Resident Physician.—Henry N. Whittelsey, M. D.

Quarantine Hospital, Staten Island.

Health Officer Port of New-York.—R. N. Thompson, M. D. *Assistant Physician Quarantine Hospital.*—Theo. Watson, M. D.

Blackwell's Island Hospitals.

(PENITENTIARY HOSPITAL, SMALL-POX HOSPITAL AND ALMS-HOUSE.)

Resident Physician.—Wm. H. Sanger, M. D.

N. Y. Lunatic Asylum.

Resident Physician.—M. H. Ranney.

PHYSICIANS AND SURGEONS

Of the State Emigrant Hospital.

Surgeon-in-Chief.—J. M. Carnochan, M. D. *Surgeons.*—T. C. Selden, M. D., H. Guleke, M. D. *Physician-in-Chief.*—Henry B. Fay, M. D. *Physicians.*—Francis Simrock, M. D., G. Ford. M. D.

St. Vincent's Hospital.

Attending Physicians.—Thos. E. Burtsell, M. D., James O'Rorke, M. D. *Attending Surgeons.*—Wm. H. Van Buren, M. D., Alex'r B. Mott, M. D., Thos. C. Finnell, M. D.

St. Luke's Hospital.

Resident Physician.—D. E. Eiginbrodt, M. D.

Jews' Hospital.

Consulting Surgeons.—V. Mott, M. D., W. Parker, M. D. *Attending Surgeons.*—T. M. Markoe, M. D., Alex'r B. Mott, M. D., J. Moses, M. D. *Attending Physicians.*—C. R. Gilman, M. D., W. H. Maxwell, M. D.

New-York Eye Infirmary.

Surgeons.—A. Dubois, M. D., Gurdon Buck, M. D., T. M. Halsted, M. D., C. R. Agnew, M. D. *Assistant Surgeons.*—F. J. Bumstead, M. D., J. H. Hinton, M. D.

New-York Ophthalmic Hospital.

Surgeons.—Mark Stephenson, M. D., John P. Garrish, M. D.

Colored Home Hospital.

Consulting Surgeons.—G. A. Sabine, M. D., W. Parker, M. D., J. S. Thebaud, M. D. *Resident Physician.*—J. D. Fitch, M. D.

Women's Hospital.

Surgeon.—J. Marion Sims, M. D.

N. Y. Lying-in Asylum.

Consulting Physicians.—T. F. Cock. M. D., J. T. Metcalfe, M. D., G. T. Elliot, M. D.

Nursery and Child's Hospital.

Attending Physicians.—G. T. Elliot, M. D., H. G. Cox, M. D., Geo. A. Peters, M. D., F. U. Johnston, M. D.

Demilt Dispensary.

House Physician.—Jno. O. Bronson, M. D. *Visiting Physician.*—Wm. B. Bibbins, M. D. *Attending Surgeon.*—D. L. Conant, M. D. *Attendant Physicians.*—T. G. Thomas, M. D., Gouv. M. Smith, M. D. *Assistant Visiting Physician.*—Isaac Cummings, M. D. *Attending Surgeon.*—Wm. R. Donaghe, M. D. *Attending Physicians.*—Elisha Harris, M. D., Jno. A. Bartholf, M. D.

N. Y. Academy of Medicine.

President.—J. P. Batchelder, M. D. *Vice-Presidents.*—John Watson, M. D., Wm. H. Van Buren, M. D., S. Conant Foster, M. D., C. E. Isaacs, M. D. *Recording Secretary.*—C. T. Heywood, M. D. *Domestic Corresponding Secretary,*—S. T. Hubbard, M. D. *Treasurer.*—Jas. O. Pond, M. D. *Librarian.*—Samuel Rotton, M. D. *Trustees.*—Wm. W. Blakeman, M. D., Ed. L. Beadle, M. D., Benj. Ogden, M. D. *Assistant Secretary.*—F. U. Johnston, M. D. *Resident Fellows.*—B. F. Barker, M. D., Gurdon Buck, M. D., H. D. Bulkley, M. D., F. J. Bumstead, M. D., Thos. Cock, M. D., Thomas F. Cock, M. D., J. J. Crane, M. D., Geo. T. Elliot, M. D., T. C. Finnell, M. D., J. W. Francis, M. D., J. P. Garrish, M. D., C. R. Gilman, M. D., J. H. Griscom, M. D., T. M. Halsted, M. D., E. Harris, M. D., J. H. Hinton, M. D., E. Lee Jones, M. D., B. W. McCready, M. D., W. Parker, M. D., G. A. Sabine, M. D., L. A. Sayre, M. D., J. M. Sims, M. D., C. D. Smith, M. D., J. M. Smith, M. D., Mark Stephenson, M. D., J. E. Taylor, M. D., T. G. Thomas, M. D., W. H.

Van Buren, M. D., Isaac Wood, M. D., J. R. Wood, M. D., Jas. Anderson, M. D., E. Acosta, M. D., E. H. Davis, M. D., A. K. Gardner, M. D., Ed. Delafield, M. D., Joel Foster, M. D., J. C. Beales, M. D., R. W. Barry, M. D., H. W. Brown, M. D., J. C. Forrester, M. D., H. S. Downs, M. D., F. S. Edwards, M. D., F. Elliot, M. D., R. Pennell, M. D., T. W. Richards, M. D., A. Underhill, M. D., Jos. Wooster, M. D., J. W. S. Ganley, M. D., E. H. Janes, M. D., C. Henschel, M. D., A. Gescheidt, M. D., A. N. Gunn, M. D., Wm. H. Maxwell, M. D., E. Hall, M. D., Jared Linsly, M. D., John McCleland, M. D., Wm. Minor, M. D., Jos. Martin, M. D., J. W. Ranney, M. D., John Priestly, M. D., Alex. H. Stevens, M. D., W. C. Livingston, M. D., Stephen Smith, M. D., Geo. Lewis, M. D., Jas. D. Fitch, M. D., Chas. A. Budd, M. D., N. C. Husted, M. D., Thos. W. Horsfield, M. D.

New-York Medical College.

President of Faculty.—Horace Green, M. D. *Prof. of Mat. Med.*—E. H. Davis, M. D. *Prof. of Obstetrics.*—B. F. Barker, M. D. *Prof. of Chemistry.*—R. Ogden Doremus, M. D. *Prof. of Surgery.*—J. M. Carnochan, M. D. *Prof. of Theory and Practice.*—H. G. Cox, M. D. *Prof. of Physiology*—E. R. Peaselee, M. D. *Lecturer on Obstetrics.*—Chas. A. Budd, M. D.

New-York Pathological Society.

President.—E. R. Peaselee, M. D. *Vice-President.*—E. Harris, M. D. *Secretary.*—E. Lee Jones, M. D. *Treasurer.*—W. B. Bibbins, M. D. *Curator.*—T. C Finnell, M. D.

Brooklyn City Hospital.

Attending Physicians.—Jas. Crane. M. D., H. S. Smith, M. D., Geo. Cochran, M. D. *Attending Surgeons.*—C. E. Isaacs, M. D., Danl. E. Kissam, J. C. Hutchinson, Jos. M. Minor, M. D.

College of Physicians and Surgeons.

President.—Thos. Cock, M. D. *Emeritus Prof. of Obstetries.*—Edwd. Delafield. M. D. *Prof. of Surgery.*—Willard Parker, M. D. *Prof. of Mat. Med.*—Jos. M. Smith, M. D. *Prof. of Obstetrics.*—C. R. Gilman, M. D.

University Medical College.

Prof. of Anatomy.—Wm. H. Van Buren, M. D. *Prof. of Surgery.*—Alfred C. Post, M. D. *Prof. of Practice.*—J. T. Metcalfe, M. D.

The committees upon the hospitals immediately entered upon the duties assigned them. The following will illustrate the form in which it was laid before the leading institutions.

"GEORGE T. TRIMBLE, Esq., *President of the Board of Governers of the New-York Hospital:*

"SIR: The members of the medical profession of New-York, have made an appeal in behalf of Dr. Wm. T. G. Morton, of Boston, who was the first to discover and demonstrate by experiment the power of sulphuric ether, to render the human economy insensible to pain under surgical operations.

"The object of this appeal is to raise, by voluntary contributions, a fund, as a national testimonial for his benefit, such as shall be a worthy acknowledgment of the priceless value of a discovery, which has already done, and is constantly doing so much to diminish human suffering.

"Boston, the scene of Dr. Morton's labors, has taken the initiation in this effort and has made a noble beginning.

"It is believed that the action of the New-York Hospital, in reference to this appeal, will exert an important influence on other kindred institutions in this city and elsewhere, and it is therefore earnestly hoped that the object will be regarded with favor by the Board of Governors. Nowhere in our whole land are the benefits of this discovery more constantly witnessed than in the New-York Hospital, and there seems to be special propriety in such an institution acting a conspicuous part in acknowledging our common indebtedness to the discoverer, of such a boon to suffering humanity.

"Having been delegated to present this object to your Board, I beg leave, Mr. President, through you, to submit this communication with the accompanying appeal to that honorable body for consideration at their next meeting.

"I have the honor to remain, very respectfully,
"Your obedient servant,
"GURDON BUCK, M. D."

"NEW-YORK, *July 3d*, 1858."

The subject being thus fairly laid before the custodians of the institutions of New-York, the Society of the New-York Hospital, a close corporation, governed by the gentlemen named in the note appended,* immediately voted that their president, Hon. George T. Trimble, subscribe five hundred dollars to the proposed fund.

The Commissioners of Emigration, composed of the gentlemen named in the annexed note,† passed the following resolution:

"*Resolved*, That in view of the great benefits derived by the In-

* George T. Trimble, Najah Taylor, Gulian C. Verplanck, James F. De Peyster, John A. Stevens, James I. Jones, Stacy B. Collins, George F. Hussey, Edwin D. Morgan, David Colden Murray, Robert Lenox Kennedy, John David Wolfe, George F. Jones, Joseph Walker, Thomas Hall Faile, Thomas B. Stillman, James N. Cobb, George T. Olyphant, John C. Green, David Clarkson, Abram S. Hewitt, Frederick A. Conkling, Nathaniel P. Bailey, Otis D. Swan, Henry L. Pierson, James W. Beekman.

† Gulian C. Verplanck, *Prest.*; E. Crabtree, *Vice-Prest.*; B. Casserly, *Sec.*; F. D. Morgan, Wilson G. Hunt, Elijah F. Purdy, John P. Cumming, Cyrus Curtiss, Mayor of New-York, Mayor of Brooklyn, President of the German Society, President of the Irish Emigrant Society.

stitutions and patients under the charge of the Commissioners of Emigration, by the use of sulphuric ether, the sum of two hundred and fifty dollars be donated to Dr Wm. T. G. Morton, the discoverer thereof, as a consideration of the feeling of the Board, with an expression of regret that the present state of the funds under their charge would not permit the Commissioners to show a more substantial appreciation of the great importance of the discovery."

The Governors of the Almshouse, composed of the gentlemen named in the annexed note,* referred the subject to the committee on Bellevue Hospital to report. While considering the subject, the committee received from Stephen Smith, M. D., Secretary, the following resolution, unanimously adopted by the Medical Board of Bellevue Hospital:

Resolved, That the Medical Board of Bellevue Hospital cheerfully express their conviction that to the zeal, perseverance, and skill of Dr. Wm. T. Green Morton, of Boston, in using sulphuric ether to render persons insensible to pain, the world is indebted for the present extended and beneficial use of anæsthetic agents, in the practice of medicine and surgery; and they are convinced that but for his energy, courage, and success, there is no reason to believe that mankind would yet have received that boon from any of the gentlemen whose names have been prominently connected with this subject.

JOHN W. FRANCIS, M. D.,
President Medical Board.

STEPHEN SMITH, M. D., *Secretary.*

Referred to Committee on Bellevue Hospital.

On the 4th of August, the committee made the following report:

The Committee on Bellevue Hospital, to whom was referred the following resolution:

"*Resolved*, That this Board view with high appreciation the

* Wash. Smith, *Prest.*, Anthony Dugro, *Sec.*, Isaac Townsend, Patrick McElroy, C. Godfrey Gunther, P. G. Molony, Corns. V. Anderson, Wm. T. Pinkney, Benj. F. Pinckney, Isaac J. Oliver.

initiary steps taken by the Medical Faculty of the cities of Boston and New-York, to acknowledge in a substantial manner the discovery and appliances of sulphuric ether, by Dr. William T. G. Morton, and believing the same to be as expressed and set forth in their testimonials, the greatest benefit of the present age rendered to science and humanity, deem it our duty in consideration thereof, and of the many uses to which the same has been applied in the Institutions under our charge, to vote toward the national subscription fund, as instituted by the Faculty, the sum of $1,500," have given the matter the consideration it deserves, and beg leave to submit the following

REPORT:

The discovery of anæsthesia (or as denominated in the resolution, sulphuric ether) stands pre-eminent as one of the greatest boons ever conferred upon humanity, and your committee believe that he, who in the hands of a beneficent Providence revealed it to the world, deserves a substantial recompense; that, as attested by the most prominent and reliable members of the medical profession in this country, Dr. William T. G. Morton is entitled to this great claim; that so far from having met with any pecuniary reward, he has lost by the discovery, of what to others has been so great a gain, and is now, after many trials and sacrifices, struggling with poverty.

The United States government having failed to give him any reward, your committee believe, under the circumstances, that it is the duty of the public to repair this great injustice, and that it is more particularly obligatory on the custodians and governors of public institutions to do this, as they in so great a degree have profited, and will continue to profit by this discovery.

Your committee disclaim the intention of advising the appropriation of the funds of our department, for simply rewarding a discoverer, however great a benefit he may have conferred on humanity; but base the propriety of the Board's action in this matter, on the fact, that the institutions under your care are daily using, and will continue to use for all time,

to a great extent, what may be justly regarded as private property.

Your committee are truly informed, that Dr. Morton believing that he would be awarded by his government, placed this discovery at the disposal of the community; and we, as the representatives of the poor sick thereof, are called upon as conscientious men, to partially remunerate him for the inestimable benefits enjoyed, and daily availing ourselves of, he having failed to be recompensed from the other source.

Your Committee know that such action on our part is not without precedent in this Board, and believing that the community will heartily endorse our action in this instance, ask the acceptance of this report, and offer for your adoption the following resolution:—

Resolved, That the resolution respecting Dr. William T. G. Morton, as referred to the committee on Bellevue Hospital, and as embodied in their report, be adopted.

C. Godfrey Gunther,
William T. Pinkney,
P. G. Moloney,
Committee.

Ordered to be printed in the proceedings, and made special order for next meeting.

The resolution of the Medical Board, previously alluded to, did not recommend the appropriation, or certify that the surgeons of the institution under the Governors were using ether, and accordingly the following certificate was forwarded to the Board:

Bellevue Hospital,
New-York, *Sept. 13th*, 1858.

To Washington Smith,
President Board of Ten Governors:

We, the undersigned Members of the Medical Board of Bellevue Hospital, respectfully represent to the Board of Ten Governors that sulphuric ether has been in constant use since its appliances were first discovered by Dr. W. T. G. Morton,

and further recommend that he be remunerated as recommended by your Committee to whom his claim for compensation was referred.

VALENTINE MOTT,	CHAS. D. SMITH, M. D.
WILLIAM PARKER, M. D.	STEPHEN SMITH, M. D.
JAMES R. WOOD, M. D.	JOHN I. MEFCALFE, M. D.
JOHN W. FRANCIS, M. D.	B. W. MCCREADY, M. D.
JOHN J. CRANE, M. D.	

On September 14, the following preamble and resolution, appropriating fifteen hundred dollars, was adopted:

Resolved, That this Board view with high appreciation the initiatory steps taken by the medical faculty of the City of Boston and New York to acknowledge, in a substantial manner, the discovery and appliances of sulphuric ether by Doctor Wm. T. G. Morton, and believing the same to be, as expressed and set forth in their testimonials, the greatest benefit of the present age rendered to science and humanity, deem it our duty, in consideration thereof, and of the many uses to which the same has been applied in the institutions under our charge, to unqualifiedly endorse the same.

And be it further Resolved, That the sum of Fifteen Hundred Dollars be, and the same is hereby appropriated as compensation for the use of sulphuric ether in the hospital under our charge, and the same be taken from the unexpended appropriation of Bellevue Hospital.

The president of the Board of Ten Governors immediately made the subscription to the proposed fund.

Subsequently, the Board had the following action:

Resolved, That before the sum of $1,500 shall be paid to Dr. William T. G. Morton, he, or his assignees, or both if necessary, shall execute to this Board the right by deed, or otherwise, to use his patent for the application of sulphuric ether, in all the public institutions in this city.

Passed, Tuesday, 5th October, 1858.

The following communication was read, and ordered to be printed on the minutes:

"LAW DEPARTMENT, CITY OF NEW-YORK,
"NEW-YORK, *October 11th*, 1858.

"*To C. G. Gunther, Chairman of Committee on Bellevue Hospital:*

"SIR: I am in receipt of your communication of the 6th instant, reciting a resolution of the Board of Governors of the Alms House, passed Sept., 14th, 1858, voting to Dr. W. T. G. Morton, $1,500, 'as compensation for the use of sulphuric ether in the hospitals,' and another resolution of the Board, passed October 5th, 1858, to the effect, that before the above named sum be paid to Dr. Morton, he, or his assignees, &c., execute to the Board, by deed, or otherwise, the right to use the patent for the application of sulphuric ether, &c.

"My legal opinion is asked in this connection, upon the following statement in your communication: 'Said Morton having the only patent that has been issued by the Government for the use and control of sulphuric ether as an anæsthetic agent, has the Board of Governors or any corporate body the right to use the same without his consent or compensation?'

"To this question I have the honor to reply that, if Dr. Morton had a valid patent, 'for the use and control of sulphuric ether as an anæsthetic agent,' and the Governors of the Alms House used it without his license, they are liable as infringers, and have a right to pay him any proper sum to prevent being prosecuted. They have also a right, if the use of the ether be necessary, and the patent exist, to make any proper arrangement for a license from the patentee to justify such use. But they have no right to make him any donation or present from any motive or in any form.

"Your obedint servant,
"RICHARD BUSTEED,
"*Counsel for the Corporation.*"

GOV. GUNTHER moved that

Whereas, This Board has appropriated the sum of $1,500 to be paid to Dr. W. T. G. Morton, for having used, and for the privilege of using sulphuric ether as an anæsthetic agent; and

Whereas, Said appropriation is declared legal and valid by Corporation Counsel, said Dr. Morton having a patent: therefore,

Resolved, That the President be directed to sign the check for said amount, and provided the agreement is in accordance with the resolution passed October 5, on said subject, and approved by Counsel to the Corporation.

Passed, Tuesday, October 12, 1858.

Pressed down by the enormous weight of the debts resting upon his shoulders, and the impossibility of extricating himself from the straits occasioned by the sudden and decided action of his creditors, when on his last return from Washington he had informed them of the discouraging alternative left, Dr. Morton saw he would be unable to protect that which was dearer to him than anything else on earth besides his family—his own home. The suits brought against him, urged with zeal, were soon to be brought to a termination, and the title to his house and farm was to be sold at public auction, together with all the other lands and appurtenances. This charming place has before been fully described. At the time of his first settling upon it in 1845, it was a mere pasture, presenting a most unpropitious appearance as compared with its present condition; but by his energy and industry, his careful and scientific management, he had made it a conspicuous place in the annals of agriculture and horticulture. The tract of land covered a natural basin, watered by a pure brook, which he had diverted from its original channel to a more appropriate course, and which furnished an inexhaustible fund of amusement to his children, and was surrounded by an amphitheatre of forest-clad hills, dotted with suburban residences. On a swelling knoll, which rises from the centre of this level, Dr. Morton had erected a picturesque building, in the English style of rural architecture, which had been formed as a model edifice, and as the seat of cordial hospitality. The prospect from every window of the cottage is superb. In the foreground are the serpentine walks, rustic summer-houses, flower-beds, young trees, sparkling streams, extensive farm buildings, and other appurtenances, which his own hands had arranged, and which all conduce to make up the well-managed homestead. Beyond can be seen the village church, the farmhouses of the industrious yeomanry, and the other quiet beauties of a New-England landscape, while the occasional sweeping by of a train upon the adjacent railway, like a fiery dragon, brings back a realization of the more active world in which we live, a type of the nervous, go-ahead spirit of this utilitarian age. Every tree and shrub upon the premises

was associated in the mind of Dr. Morton with some family event. Each object about the house suggested recollections of happier times, and the presence of those he loved. Not a foot of ground upon the premises but had received some care, some attention from him or some member of his family. His aged parents dwelt in close propinquity to him, and still, as of yore, watched over their cherished son. The whole place was his pride, and furnished the only relief which his troubles had so often rendered desirable. He had planned it, and occupied it early in his married life; he had lived on it through all the events which had befallen him, and he had always wished to have the privilege of holding it still for his old age, and dying upon it, to leave it as a legacy and home to his children. Was it strange, then, that this last blow should prove the severest of them all?

While the various meetings and consultations were being held in Boston, by gentlemen interested in some plan to relieve Dr. Morton, he was applying himself to the painful duties consequent upon his dispossession of "Etherton," which was soon to follow the sheriff's sale. He could have gone about this with more fortitude, but that there were others even, besides his wife and children, involved in his ruin. The little provision that the last dower of his grandparents made in favor of his tottering and gray-haired parents, was invested in, and must all go with "Etherton." The scene that followed as Dr. Morton went from his own dwelling and entered that of these doting parents, to inform them of what awaited them, I do not wish to distress the reader's feelings by detailing. This painful duty accomplished, he next proceeded to the teacher of the little private school he had established by the erection of a suitable structure upon a quiet spot at Etherton, and then to his children's private tutor in French and music, and informed them he could employ them no longer. He then commenced the difficult task of choosing what articles they would part with, which retain out of what had not already been pledged. His library, gold medal, some other valuables had already been pledged, and the balance of what they could possibly spare, must be disposed of before

they left "Etherton." The task was finally finished. It was found that nearly everything must go, even the children's pony and pianoforte.

The day before the sale was to be held Dr. Morton, dispirited and unhappy, had walked out to take a final view of the property, and returned home without the strength of mind to meet the change that was to come over him and all that was dear to him. He found, on his return to the house, a messenger waiting with a note from his attorneys. He hastily tore it open, and read the very brief words, "Etherton can be saved, by instituting the suit against the government, as suggested by the President of the United States." With one glance upon the lovely groves and orchards planted by his own hands, and from which, in a few short hours, he was to be separated forever, he seized the pen and wrote upon the bottom of the note two words, "Do it," and passed it back to the messenger. Etherton was considered saved, but Dr. Morton was made a target for critics to shoot at. It proved that a gentleman, not even wealthy, was so interested in the movement to relieve Dr. Morton, that he had consulted with the medical men as to what they believed could be accomplished by the proposed national testimonial, and with Dr. Morton's attorney, as to his chance of success in the suit which the President had suggested, and that he had sufficient confidence in the success of one or both, to purchase "Etherton," subject to the incumbrances the Doctor had put upon it, and to await the raising of the money he had to advance from one or the other of the above sources.* But that he in-

* That, as has been shown by subsequent events, was a concerted action on his part. Some of the gentlemen composing the meetings held, had decided that the land, together with the house constituting the estate called Etherton, should at all hazards be preserved, and settled securely upon the Doctor and his family for ever; but that all the outlying lands should be sold as part payment of some of the debts for which he was responsible The title to the place still remains in the hands of this same gentlemen, but a writ of ejectment has been served upon Dr. Morton and his family. by the parties holding the mortgages now existing upon the estate; and unless these are satisfied within the period allowed by the laws of Massachusetts, the place will be lost to him forever.

sisted, as a condition, that Dr. Morton should give his consent that the suit should be brought. Others who had been consulted about aiding in the fund to be raised, asserted that Dr. Morton had no right to delay using force to compel the government to pay, while individuals were putting their hands in their own pockets to aid him. Yet Dr. Morton, with the anathemas of his opponents and the medical profession ringing in his ears, in case they failed to take his assurance that it was, though nominally against a professional brother, really against the government, would never have brought this suit, had it not been for this circumstance we have alluded to.

In pursuance of this object, the attorneys of Dr. Morton sent for Dr. Davis, of the Marine Hospital, near Boston, and informed him what it was desirable to accomplish, and as a matter of convenience they would like to bring the suit against him, he residing within the jurisdiction of the United States Circuit Court, held at Boston, and they being able to prove that he had violated the patent. They at the same time gave him a pledge in the name of Dr. Morton that no judgment should be collected against him, meaning only to test the question as between Dr. Morton and the government.

Accordingly, a suit was commenced against this government officer for his past infringement of the patent. This has not yet been brought to trial, and consequently still remains undecided. On the public announcement of this action in the newspapers, as expected by Dr. Morton, some dissatisfaction was expressed against him for still adhering to his rights under the patent, and it was hinted that, guided by this decision, if in his favor, he might be tempted to commence similar actions against any private individuals who had infringed, or whose position was such as to tempt his cupidity. It was asserted that this was not an amicable suit, brought at the instigation of the government itself, and in order to test a great question involved, but simply the commencement of a series of rapacious and almost unwarrantable acts. These stories were also started in New York, and meeting with a certain degree of credit, were brought before the meeting of the physicians engaged in originating the movement in his favor. Called

upon by them, Dr. Morton stated what he had long before advanced as an answer to the inquiries made in Boston, why a suit had not at once been brought on the direction of the President, that he had always been unwilling to have his name associated in connection with a lawsuit, as regards the patent; that as he had always looked forward to a free and just compensation from the government, he had been unwilling to force an act which his feelings dictated should be voluntary. But finding that he could not save his wife and children from being suddenly turned upon a cold world, and that if he did not do it it would impede even the benevolent movement making in their behalf, the considerations that had so long influenced him against this course now did not, not only have any weight with him, but he looked upon it as wrong on his part not to relieve his friends from that portion of the voluntary burden which the commencement of this suit might effect. These representations, made by him in New York, satisfied the gentlemen here. For information on the true state of the case, a letter was written without the knowledge of Dr. Morton by a gentleman of New York to the surgeon sued, from whom the following reply was received, which presents the truth as plainly as possible, and shows the honorable and generous manner in which all the proceedings of the government have thus far and, apparently, will be, characterized, and confirms Dr. Morton's statement.

"U. S. MARINE HOSPITAL, CHELSEA, *June 15th*, 1858.

"MY DEAR DR.: I have just received your note, and in answer would say that Dr. Morton has commenced a suit for alleged trespass on his *patent* as discoverer of the anæsthetic properties of ether. His counsel informed me at the time, that Dr. Morton having failed to obtain any remuneration from Congress, had applied to them to bring this suit against me as a government agent, intending to make it a test of his *patent*, and supposing that government and not myself would pay the expenses of the defence. I immediately wrote to the department the facts that suit had been commenced, and asked for authority to employ the U. S. District Attorney to defend it. The Solicitor of the Treasury decided that there was *no law* which would compel them to defend, and that if I had trespassed upon anybody's rights I must suffer the consequences. The trial is assigned for the October Term of the U S. District Court, and as yet I am undecided what course to pursue. I presume the Doctor's idea is to obtain judgment if possible, and then force the U. States to pay him for the use of his discovery.

Whether he intends to make the profession generally pay tribute or not, I do not know.

"Respectfully, your ob't serv't,

"CHARLES A. DAVIS,

"*Physician and Superintendent.*

"C. F. HEYWOOD, M. D., *New-York.*"

To attempt a refutation of the ridiculous reports in connection with this suit, spread to the injury of Dr. Morton, would simply be a waste of time and an encouragement of their continuance. If years ago Dr. Morton was willing to give freely the use of his discovery to every institution, to any one who chose to avail himself of it, and at a time when the fresh issue of his patent had not laid him exposed to the conflicting opinions which have since accumulated; if, year after year, borne down by misfortune and disappointment, and reaping none of the benefits anticipated from his discovery, he chose to let every physician throughout the country use his right without demanding any remuneration in return, it is not to be supposed that now, when the task of restriction has been immeasurably increased, when the years for which his patent was granted have nearly expired, when it is his daily prayer that he can have peace and quiet, and a freedom from all those cares which have so long harassed him, he will make the attempt to do an act which he knows would meet with well-merited indignation and opposition, and in the end would prove difficult and unsatisfactory, if not impossible.

Much has been said, when speaking of the difficulties under which Dr. Morton has labored, of the pecuniary losses which have resulted to him in consequence of the discovery. It has been stated in broad terms, that they were heavy, but the figures of the sums themselves can alone furnish a proper realization of how large these were. A full examination of his affairs was made at the time the benevolent design of the gentlemen of Boston was first originated, and the result surprised many. The following *account current* presents a correct and fair statement. It is probably much below the expense actually incurred, because it was formed from an examination of receipted bills, old accounts and notes alone, and did not include the many small expenses, which, by their daily increase, by this time amount to a formidable total.

Dr. WILLIAM T. G. MORTON, *in account with his Discovery, from Oct., 1846, to 1858.* **Cr.**

1847.	TRANSLATING and PUBLISHING several editions of Report of American cases and other documents for use abroad, with expenses of their transmission, with ether and apparatus together with postage, freight duties, and cost of foreign correspondence	$2,800	1848.	Received from the Trustees of the Massachusetts General Hospital, together with casket	$1,100
"	VARIOUS PROFESSIONAL and SCIENTIFIC MEN, for services rendered in promulgating discovery, collecting cases, demonstrating value where opposition existed, together with their travelling expenses.*	3,162	852	Received from Academy of Science at Paris, the Montyon Prize, in form of medal	500
"	VARIOUS LITERARY GENTLEMEN, for procuring favorable opinions of the press, preparation of replies, and other papers. with salary of Private Secretary	2,100		Total	1,600
"	PRINTING and PUBLISHING of papers and pamphlets during introduction of discovery, newspaper articles, circulars, &c., &c	4,326			
"	ETHER DISTRIBUTED among professional men.†	2,640			
"	APPARATUS DISTRIBUTED among professional men.‡	3,060			
"	APPARATUS REMAINING UNSOLD	2,000			
"	DEFICIENCY IN PATENT ACCOUNT. (See chapter on Patent.)	2,000			
"	HOTEL and TRAVELLING EXPENSES in Washington city, from time of discovery to date, with hack hire, telegraphing, expressing, &c., &c §	17,520			
"	PRINTING and PUBLISHING, &c., from 1847 to date	5,999			
"	FOR LEGAL SERVICES to Messrs. Webster, Choate, Carlisle, Curtis, Whiting, Dana, Cornwall, and others, together with advice and other services rendered	12,550			
"	EXPENSES FOR TESTIMONY IN PERPETUAM at Boston, Hartford, and other cities, including examination of witnesses, drawal of papers, traveling expenses, &c.	4,870			
"	RECORDING OF TESTIMONY IN BOSTON	169			
"	COST OF MANUFACTURE OF NITROUS OXIDE GAS for experiment at Washington.‖	50			
	Total	63,306			
	Interest on the above for half the time	24,255			
	LOSS OF INCOME from professional business, from May, 1847, to date, (see Chapter IV., page 51), at $9,000 per annum.¶	87,561 100,000		To balance	185,961
		187,561			187,561

* These were usually young physicians who, whenever a fatal case or non-success was reported, as was constantly being done during the days of opposition, were instructed in the method of administration, and sent by Dr. Morton to counteract the feeling. Visits were paid by them to New-York, Philadelphia, Montreal, and even some of the cities of the far West.

† This will not seem so surprising when it is recollected that at the time Dr. Morton made his discovery, the article called Pure Washed Sulphuric Ether, was scarcely found outside of a chemist's laboratory. As there was no call, and but seldom any use for it, few druggists kept it in their stores. During the first year after the discovery, it was prepared expressly for Dr. Morton, and this with the strong bottles manufactured for its safe transmission, cost nearly one dollar per pound.

‡ The inhaling instruments, at first, cost about $25 a piece; but by gradual alteration, and by making large contracts, the price was afterward reduced to $7 or $8.

§ Large as this sum is, it by no means includes all the expenses. Those who have endeavored to push a claim before Congress, or have lived winter after winter at Washington, can fully appreciate why it should be even much more.

‖ This was for the trial demanded by Dr. Morton to disprove to the satisfaction of the Congressional Committee the claim of Horace Wells, by showing the inert character of the agent for the purposes of anæsthesia.

¶ This sum is probably much below the truth. The gross receipts of Dr. Morton, from his business, have been shown in a previous chapter. On the 1st of May, 1847, that is but a few weeks before his business was ruined by the causes before stated, an agreement was made with Messrs. Blaisdell & Hayden, by which they were to bound to pay Dr. Morton 50 per cent. on all the gross receipts from the business then on hand and to come, he to be at no expense whatever for rent, materials, tools, &c. One item of the business, then under way, and mentioned in the agreement, was twenty full sets of teeth, valued at about $4,000.

It is always an easy task to look back and correct the mistakes committed in the past; guided by the perceptions of another's errors, or our own previous failures, no great difficulty exists in avoiding a similar course for the future. The perusal of this account shows where many a mistake has been committed by Dr. Morton, and probably had he to go over the same ground again would by its action on his own mind induce a different management.

But we must remember how Dr. Morton was situated at the time the first entry was made, and he subjected himself to the first expense. To do this, we need only recur to the chapter on opposition, and reflect for a moment whether any one of us possessing this great boon to humanity, and believing in its value to the extent Dr. Morton did, would not feel justified in spending money freely to put down opposition at any cost. Besides, an entire ignorance existed in the world as to the best manner in which to use the discovery; the knowledge was gradual, came by experience after repeated failures, and *great expense*. At first the inhaling machines were considered absolutely necessary for success, so much so that the eminent surgeon Liston considered their proper arrangement and use as one of the prime elements in a favorable application. The knowledge that a simple handkerchief or sponge, the first medium of administration used by Dr. Morton, and mentioned by him in his specification, was the most effectual, was learned only after the repeated failures of all kinds of machines. As these were at first found necessary, Dr. Morton was the only proper person looked to to superintend their manufacture, or distribute them. Their costliness led to a heavy commercial transaction, and the discovery of their uselessness caused a commensurate loss. The same holds good as regards the ether, which he had manufactured in immense quantities. Any failures during the period of doubt and opposition would have injured his cause terribly. It is a well known fact that after his public announcement of the agent used, a great many throughout the country fell to experimenting with it, but as in nearly every case the article used was the common ether of the stores, non-success attended each attempt, and these repeated

failures were one of the strongest arguments used against the discovery.*

It was imperatively necessary, therefore, for Dr. Morton that nothing but the best highly-rectified ether should be used, which either necessitated its purchase from him, or the free gift. Gallons of it were consequently given away to induce experiment, procure favorable notices, and spread the fame of the discovery. Under the same category of expediency must come the heavy expenses entailed by the physicians sent over the country to counteract opposition, by the many pamphlets containing favorable notices and reports, published month after month, by the long editorials and journal articles which constantly appeared. They were considered necessary at the time, and all subserved some end.

But it cannot be said, even by those who may object to the account of his expenses on the ground of its apparent extravagance, that all this money was thrown away; that it produced no useful effect in the diffusion of the public knowledge on the subject, and was simply so much money lost. For there is but slight reason to doubt that the discovery would have fallen into disuse, judging from the opposition raised against it, had it not been for Morton's compelling the world to believe in it by his bold and decisive course in giving it notoriety and surmounting opposition. Within six months from the time when Dr. Morton had so openly and boldly caused the trial at the hospital, the name of the agent, the manner of its employment, and its effects, were perfectly well known in every part of the globe where surgery was truly pursued as a science. This was owing to various causes. The first, the public manner of the first trial,

* "I placed some sulphuric ether in the instrument sent, and gave it to a gentleman to inhale; the effect was to cause him to laugh heartily, but there was nothing like sleep. What should be done in such a case?" Extract from a letter from a well-known physician of Philadelphia to Dr A. A. Gould, dated Nov. 12th, 1846, in which fault was found because the directions given had not been attended with success. Vide, also, paper of Dr. H. J. Bigelow, published in Boston Medical and Surgical Journal, Nov. 18th, 1846.

and the distinguished and reliable character of the men summoned as the jury. The second, to the care and attention paid by Dr. Morton to disseminating an account of it afterward—extensive, as we have shown it was, at page 450. If, according to his own statement, Dr. Jackson made the discovery, or rather the deduction, in 1842, and then allowed four years to elapse before he made the initial experiment—how long a period is it fair to suppose would have been required by him before bringing it to public notice, or before a satisfactory account would have been given by him? Allowing that the *fiasco* of Dr. Wells with his gas in 1844 shall be dignified with the name of discovery, and suppose that Dr. Morton had never experimented with the ether, what is it probable would be the true condition of practical anæsthesia at this time? Dr. Wells made, to a certain extent, a public experiment, which, had it succeeded, would no doubt have attracted the attention of medical men: it failed, Dr. Wells renounced any further attempts, and the remembrance of this exhibition soon passed from the memory of those who had witnessed it, and probably never would have again occurred to them, had not the declaration of Dr. Morton again suggested it to their minds. This is so true, that Dr. John C. Warren, through whose agency the exhibition was allowed at the Medical College, and to whom Dr. Wells was introduced by Dr. Morton, had completely forgotten it when the claim of Dr. Wells was first started, and it was only brought again to his recollection by some information and suggestions from Dr. Morton himself. The first operation at the hospital did not fully settle, to the satisfaction of the attending surgeons, the perfect reliance which it is known can be placed upon the ether, although it did in the mind of Morton; who, from having before witnessed its effects, was at that moment fully convinced that by it the pain of any operation was abolished. Knowing this, had he returned to his own home, and keeping the name of the article a secret, at once commenced employing it in his own practice, without allowing its use to be extended, as he could easily have done, he would probably have realized a large amount of money, and at the present time the use of the agent

would be restricted to a few, if it was not entirely dropped. The experiment at the hospital would have attracted some attention, but it would have been but a nine days' wonder, and would soon have passed from the memory of those present. But after the history was published abroad, the benefits flowing from the expenditures of Dr. Morton did not, by any means, cease. The constant printing of cases—the instruction derived from his agents sent over the country—the care taken by him in spreading information as regards each improvement, together with the pure form of ether, which he was the means of putting into the hands of the surgeons—all conspired to settle at once the value of the discovery, make its use safe and reliable, (so that to this day it can be asserted that no death has ever occurred directly traceable to the effects of the ether itself), and induce its general adoption. The result was that within these few months, the employment of ether was nearly as general and just as safe, and to be depended on, as it is at the present day.

When Dr. Morton found that his patent was openly violated on all sides by medical men, and was consequently rendered comparatively valueless, and that the gratitude of the national government was all upon which he had to rely, it was too late for him to retreat. Too much had already been placed at stake to permit of any half-way measures. He was then pecuniarily disabled; and common sentiment told him that this had occurred unjustly. By the greatest sacrifices, and through the generosity of others, he was enabled to commence proceedings for the satisfaction of his demand. Month after month he was led on, with the bait almost within his grasp, constantly being made to suppose that a little longer, and then a little longer time only would be required before he would find himself requited. At last the final answer was given, and broken and ruined in the contest he was forced to withdraw, with a bitter realization of the result of the struggle, and see what little was left to him from the wreck.

CHAPTER XXIII.

CONCLUSION.

In reviewing these pages presented, one fact cannot fail to impress the mind of each reader, that want of energy and courage are neither of them traits to which Dr. Morton can plead guilty. If not the discoverer, he has certainly shown a marvelous degree of perseverance and tenacity in carrying out his delusion. That any one should be willing to persist in claiming what was not his own, through so long a struggle, against overwhelming opposition, under privation and difficulties of all kinds, through periods when the hopes of any ultimate benefits seemed utterly extinguished, and forced constantly to make severe sacrifices, seems incredible. To bear one up in such a trial several things are necessary: a settled belief in the justice of the cause, a firm confidence in an ultimate recognition, and buoyant hopes for the gratitude and thanks of the world. These he has had, and these he has still; they have sustained him thus far, and they will continue to sustain him, whatever may be the results and disappointments of the future. Laboriously he has worked out the great problem, and practically exemplified it, and laboriously he has struggled for that recognition, which it has seemed fated should never be wholly awarded him. He still hopes for it, and the belief never flags for one moment that in the end it will come.

All enterprises demand a more or less degree of tact and decision on the part of their originators, and no matter what their character, meet with a certain amount of opposition from the

interested or the incredulous. But at the outset Dr. Morton was more than ordinarily unfortunately placed ; he was unknown, except in a contracted business circle ; his profession was not such as to warrant a presumption that he would make any truly scientific or chemical discovery, which more truly seems to appertain to the sphere of the professed medical or physiological chemist ; he was poor, or poor to that extent that every one is who depends upon his daily exertions for his support. He had to expect the doubts and opposition inherent to the introduction of every fresh novelty, but in addition he has been forced to contend with the discrediting assertions and counteraction of those who were vitally interested in persuading the public that the merit rested not with him but elsewhere. The deficiencies of his early education have been strong against success, as the contest has been between him and those who by other acts had already carved niches in the Pantheon of cotemporary worthies. And yet, what has been the result ? a gradual, but decided recognition of his first declaration, and a fair prospect of the accomplishment of that for which he has for so long a time ardently longed : the general affirmation of the world and its gratitude. This is some return, even if pecuniarily he has been unsuccessful.

Within the past few weeks, by the successful laying of the Atlantic Telegraph Cable, we have seen the indefatigable energy and steadfast courage of one man rewarded with that laurel crown of universal congratulation which is so justly his due. It is generally acknowledged, nor will it probably in after-years be disputed, that it was mainly through the instrumentality of Mr. Field, that this, the newest wonder of the age, has been vouchsafed to us, and henceforth his name will stand foremost among those associated with its history. Success has crowned his efforts, happily for him and happily for the world. "Through evil report and through good report," through discouragement and hesitation, after repeated failures, and in opposition to the belief of the majority of persons throughout the world, he has steadily fought his way ; wearing ever to his associates that bold and confident front so necessary for their encouragement ; hiding within his own breast whatever of doubt or fear may have tormented

him. He has now succeeded, the choicest hope of his imagination is accomplished, and the world stands ready to do him honor.

But let us suppose that a reverse had followed, would he then have been the shrewd, far-seeing speculator, the enterprising, courageous merchant? would the present *fait accompli* have seemed possible? or would the wise shake of the head, or the supercilious whisper, not rather have hinted at folly, headstrong obstinacy, incompetence, and impossibility? How many were sanguine when the return of the Niagara, after the previous trials, had announced present failure and probably continued disappointment? Was true sympathy and real encouragement extended to Mr. Field by his fellow-citizens? Was not the sudden rise of the stock of over one hundred per cent. in two days—that short intermission being bounded on one side by the knowledge of the previous failure, and on the other by the news of the success, a good thermometer of the public feeling? Were his peaceful efforts in the minds of the "wise of the land," as only a few months ago they rose to bluster defiance and retaliation upon the floor of the Senate, against that very nation now so firmly united to us? In an article headed "The Era of Good Feeling," the New-York *Times* thus alludes to this feeling, and compares the action of one day with the cooler after-thoughts of the next:

"Senator Seward lent his aid the other day in celebrating the laying of the telegraphic cable, by fraternizing in the usual manner with the people of Great Britain. What he said was well said, and in good place, but the effect of it would be vastly greater, and a great deal more satistactory, if he had ventured on the same strain a few months ago, when Senator Toombs declared war against England. Several leading Senators, of whom Mr. Seward was one, instead of speaking of patience, conciliation, or negotiation, or even proposing to wait for information, counseled war to the knife, and called on the country to arm. How pleasant and consoling and encouraging this must have been to the Cyrus W. Field whom the learned Senator now so much belauds and admires, it is easy to understand. We can fancy with what pleasure this "obscure and unknown merchant," whom the learned Senator now takes so much pride in

having aided—with a mind torn by the accumulated anxiety of four years, with his fortune at stake, with the eyes of the world upon him, laboring under the terrible burden of having to muster faith and hope enough in his own breast to match the doubts or sneers of millions—must have read the speeches in which the Senatorial sages voted to have the Niagara and Agamemnon set to blow each other out of the water. How much they must have aided him in encouraging faint-hearted directors, in solacing despairing stockholders, in animating crews and captains in the great work."

But this time of trial for Mr. Field endured but a short time; through four years only, his money, his reputation for common sense, and the returns for his time and services, hung in the balance; for much less than this time were his prospects affected by the folly or stupidity of the "Senatorial sages," and then not from any opposition to him or his cause, but from sheer thoughtlessness or political necessity. But during nearly three times this period has Dr. Morton been called upon to endure the same, but in a much more aggravated degree. No *portion* of his fortune was at stake, but all of it, to the last cent; and not his alone, but that of his relations and friends. The recognition of the true value of the discovery soon set at rest all suspicions which may have existed as regards his judgment or right to an average amount of intelligence, but to this day his integrity and veracity have been doubted, and his character made a part of a discussion into which it should never have been dragged. Legislative action injured his cause; not accidentally and for party reasons; but directly, designedly, through the assertions made in the course of debate. All this he has borne alone, with no "directors or stockholders" to encourage him or spur him on by their sympathy, or share a portion of the onus of ridicule. The similarity of the cases of these two persons, in all but results, has impressed many. In the Boston *Transcript* of August 9th, 1858, a writer conveys the same idea:

"The Advertiser of Friday, in announcing a lawsuit, instigated by Dr. Morton against an incumbent of a public government hospital, for an infringement of his patent right, which is,

we believe, an amicable suit, to test the value of a patent now largely used by government, also published a letter, written by somebody, in behalf of Dr. Jackson. We give our unqualified adhesion to the following sentiments, from a most able editorial article in the *same* paper of the *same* date, hailing in eloquent terms the supposed advent of the cable, bestowing the following well merited and discriminating encomium on Mr. Field, and one might almost add, on Dr. Morton:

"Mr. Field is the man to whose untiring zeal we owe this special success, as we owe it to no other. Most great advances in the civilization of the world have a like history. They come because one man, whose name is Columbus, or Franklin, or Washington, or Watt, determines that the world shall gain one step forward. He will die rather than have it fail. To the little list of such determined men, Mr. Field's name is to be added. He did not invent the Atlantic telegraph. He did not first suggest the Atlantic telegraph. But he first determined that it should be. He seems to have pledged life, fortune, and honor, that it should be. To-day it is; and it is because he made that pledge and determination."

It is an old saying, that "the best reason for succeeding is success," implying that when once some design has been accomplished, every one seems fully impressed with the belief that no one but that single successful individual could have accomplished it; and the enterprise, no matter how Quixotic it may have been regarded previously, seems wonderfully feasible and easy; the only remarkable thing about it being, that it was never done before. Mr. Field has made sacrifices, has succeeded, and, let us hope, will receive his reward. Dr. Morton has endured much, lost much, and has failed; it now remains to see how long the present condition will continue.

The author of this book presents for the consideration of those readers who may blame him for the introduction of so much unpleasant and apparently irrelevant matter, for those who may complain that he has simply given a one-sided view of the case, without instancing corroborative proofs or testimony in support of his story—the following points:

They will please consider that Dr. Morton has, and still does occupy, a most singular position as regards the public. If the question had been made solely a question on its own merits, he would have been bound to contest solely on the ground of priority of discovery. But it has been the choice of others that private feeling should be equally interested. For years he has been the mark for the shafts of calumny, falsehood, and envy. Family affairs and private personal history have been made matter for public discussion; and yet, during this whole time, he has not, by his own means, been able, or has even made the attempt to ward them off. Single-handed, and often against overwhelming odds, he has fought the battle in defense of his immediate *rights*, and his lasting claim to honor. Much that has transpired, and which has been intimately blended in the action of the past, has confused those interested in the question, because so many points—apparently singular actions—were left unexplained. The legal questions have been fully sifted, and repeated again and again. They establish, by their conclusiveness, to the satisfaction of any reasoning and sensible man, his right to the position he claims; but the perusal does not explain their connection through successive years, and the mysterious manner in which, year after year, this claim has been brought before the public as undecided. It was the object in preparing this book to supply that very deficiency, and by giving the history of the first events as collected from the evidence, and many printed works, to follow each event to the present time with more especial reference to that matter which could not find a place in a legal document, or a polemical narrative. Most of the letters contained in the book have never before been published. They show the opinion of those who were fully competent from their position, or peculiar opportunities, to judge on the case, and whom we have been taught to regard as competent and immaculate judges.

Others explain many of those secret springs of action, those movements and decisions as reasons for which one explanation is given the public, another kept for the private ear. At the outset the author determined to introduce nothing polemical—nothing which should reflect upon others, but to present a sim-

ple narrative, ignoring entirely the unjust demands of others. But this was found impossible; the several claims were so interwoven, the one with the other, that no separation could be made without leaving much unexplained, or still doing injustice to Dr. Morton. The author expects a tirade in consequence; he is aware that where there are several to be consulted, all cannot be satisfied. But he believes there are enough sufficiently well acquainted with the verity of the claim, the past treatment and present position of Dr. Morton, to form a respectable majority, among those who may feel sufficiently interested to engage in any discussion; and that some from these will be willing to acknowledge that they coincide in opinion, and will bear him out in the statements made.

THE END